



**MEETING OF THE BOARD OF REGENTS  
LEE COLLEGE DISTRICT  
BOARD MEETING  
October 17, 2024**

The Board of Regents of the Lee College District met on October 17, 2024, at 6:02 p.m. at John B. Tucker Lecture Hall. Chairman Fontenot called the meeting to order stating that the meeting was duly posted and a quorum was present.

**PRESENT:** Daryl Fontenot, Chairman; Susan Moore-Fontenot, Vice Chair; Mark Himself, Secretary; Mark Hall, Assistant Secretary; Gina Guillory; Judy Jirrels; Pam Warford; Weston Cotten (arrived 6:20 p.m.)

Dr. Lynda Villanueva, President

**ABSENT:** Gilbert Santana

**INVOCATION AND PLEDGE TO THE FLAG**

Regent Mark Hall said the Invocation and led the Pledge to United States flag and Texas flag.

**STUDENT SPOTLIGHT**

Kelli Forde Spiers, Associate Vice President, Student Success and Belonging, introduced Ellaine Ingco, describing her as “the perfect example of a student who is successfully utilizing the many services, programs and resources that make Lee College so special.”

A biology major who moved to the United States two years ago from the Philippines and entered Lee College last fall, Ms. Ingco said she plans to complete an associate degree and then transfer to University of Houston to complete a bachelor’s degree. Determined when entering college last fall not just to achieve her academic goals, but also to overcome fears and to enjoy the experience, Ms. Ingco said she made it a priority to be active and involved on campus while balancing academics.

Ms. Ingco described joining clubs/organizations such as Rotaract, joining the TRiO and Puente programs, working as a student employee in Admissions & Records and as a Peer Mentor for First-Year Experience (FYE), and making friendships through volunteering and attending events. She said her experiences beyond the classroom have helped her develop into a well-rounded student, and she described specific ways these many resources have helped her. Student employment helped her save extra money while doing work she loves, and scholarships she has received from Puente, TRiO, Academic Studies, FYE and Lee College Foundation have eliminated worries about paying tuition, and have made her happy by helping her family reduce expenses.

“I am continually impressed by the extensive resources Lee College provides for its students,” Ms. Ingco said. “Lee College’s commitment to enhancing student experience not only has helped me, but also has positively affected countless students like me. Going to Lee College was one of the best decisions in my life.”

## 86.24

## DISPOSITION OF MINUTES

Regent Warford made a motion, seconded by Regent Guillory, that the Board approve the minutes for Audit & Investment Committee Meeting – September 3, 2024; Building Committee Meeting – September 18, 2024; Board Meeting – September 19, 2024.

The motion passed with no dissenting votes. Regents Cotten and Santana were absent.

## REPORT OF THE CHAIRMAN

Chairman Fontenot made no report.

## COMMITTEE REPORTS

- Building Committee – Board Chairman Fontenot reported the committee met yesterday October 16, and that related items are on the agenda this evening. Committee members look forward to upcoming interviews for selection of a facilities master plan contractor, he said.
- Policy Committee – Committee Chair Gina Guillory reported the committee is scheduled to meet the last week of this month.
- Audit and Investment Committee – Committee Chair Judy Jirrels reported the committee met October 8, reviewed the quarterly investment report, approved the internal audit charter, and examined prioritization of areas in the internal audit plan. Tier 1 audit priorities include information technology, workforce, purchasing, and human resources, she said. In answer to a question by Regent Moore-Fontenot about the timeline for these audits, Greg Goings, Internal Auditor, briefly discussed the process, which begins with defining the scope.

Building and Facilities – Serving on the Building Committee are Gilbert Santana, Chair; Mark Hall, Pam Warford, and Daryl Fontenot

Policy Committee – Serving on the Policy Committee are Gina Guillory, Chair; Susan Moore-Fontenot, and Weston Cotten

Audit and Investment Committee – Serving on the Audit and Investment Committee are Judy Jirrels, Chair; Gina Guillory, and Mark Himsel

## REPORT OF THE PRESIDENT

- **Expanded Events Calendar** – In response to interest expressed by a Board member in coming to even more college events, the monthly Board of Regents calendar is expanded to include more events and activities on campus, Dr. Villanueva reported.
- **Nursing Enrollment** – Record nursing program enrollment of 207 students for FY 2025 was reported by Dr. Villanueva. Since FY 2022, nursing enrollment increased 290%, she said, crediting Dr. Helen Manibusan, Director of Nursing; nursing faculty, and Dr. Janena Norris, former Dean of Nursing and now Associate Vice President of Academic Affairs.
- **Huntsville Center Horticulture Planting** – Under the direction of James “Scooter” Langley, HCLC horticulture instructor, 100 high school students pulled more than 1,000 water willows from HCLC grow tanks and delivered them to nearby Carolina Creek for HCLC’s first water willow planting of the year. Dr. Villanueva extended kudos to Mr. Langley and to Donna Zuniga, Associate Vice President of Huntsville Center.
- **Kudos to Dr. Steve Showalter** – An opinion writer of the year honor was awarded to Dr. Steve Showalter, government instructor and Baytown Sun newspaper columnist, Dr. Villanueva reported. (At this time, Regent Cotten arrived.)

- **Huntsville Center and Prison Education Advocacy** – Dr. Douglas Walcerz, Provost and Vice President of Academic and Student Affairs, and Donna Zuniga, Associate Vice President of Huntsville Center, have been invited by Kristina Hartman, Windham School District Superintendent, to comment Nov. 14 in Austin at the public hearing of the Sunset Advisory Committee, composed of five state senators including Sen. Mayes Middleton, five state representatives and two public representatives. Dr. Walcerz and Ms. Zuniga will present subject matter expertise and recommendations on improving/expanding education for incarcerated students in Texas, in anticipation of the upcoming state legislative session.

## **INFORMATIONAL REPORTS**

### **Title IX CEO Report – Dr. Lynda Villanueva, President**

Dr. Villanueva noted this report is provided each year to Board members, as required by Texas Education Code, and she offered to answer any questions that Board members have.

### **Resignations and Retirements – Dr. Lynda Villanueva, President**

Julie Lee, Executive Director, Administrative Support Services – Retirement

### **Financial Report – Annette Ferguson, Vice President, Finance and Administration**

Noting that the September financial report represents the first month of the new fiscal year, Annette Ferguson said auditors will be on campus for two weeks beginning next week for the annual audit of the previous fiscal year. A final audit report usually is ready in December, she said.

Cash position remains strong, Ms. Ferguson said. The college in October has received just over \$10 million from the state, which is half of the fiscal-year appropriation. Another 25% is to be paid in February, and the final 25% to be paid in June, she said.

Tuition & fee revenue is close to budget, Ms. Ferguson said. Property taxes begin to come in during December and January. It is early in the year, she noted, but at this time, year-end results are expected to be in line with budget.

Expenses are lining up well with budget, Ms. Ferguson said. Monthly operating expenses being slightly in excess of budget is the result of timing when expenses come in sooner than budgeted. In answer to a question from Regent Guillory, Ms. Ferguson said salary and benefits slightly exceeded budget in September because more student workers were hired this September than in years past.

## **PUBLIC COMMENT**

None.

## **ITEMS OF ACTION**

### **A. PERSONNEL**

#### **87.24      CONSENT Agenda – Consideration of New Hires**

The Administration recommends that the Board approve the new hires as presented:

- Ms. Michelle Banewski, Reentry Specialist, Huntsville Center
- Ms. Andrea Conner, Coordinator, Admission & Progression (Healthcare Professions)

Regent Cotten made a motion, seconded by Regent Jirrels, that the Board approve the Administration's recommendation.

The motion passed with no dissenting votes. Regent Santana was absent.

## **B. NEW BUSINESS**

### **88.24 Consideration of a Partial Tuition Waiver for Participants in the Pathways from Prison to Postsecondary Education Program**

The Administration recommends that the Board approve a partial tuition waiver for students enrolled in the Pathways from Prison to Postsecondary Education program.

Regent Warford made a motion, seconded by Regent Moore-Fontenot, that the Board approve the Administration's recommendation. In answer to a question from Regent Warford, Dr. Douglas Walcerz, Provost and Vice President of Academic and Student Affairs, confirmed the increased monies for FY 2026 are because the program will be ramping up. At present, 14 students are involved, Dr. Villanueva said, then elaborated on background of the Pathways program.

The motion passed with no dissenting votes. Regent Santana was absent.

### **89.24 Consideration of Approval of Charlie's Plumbing, Inc., to Provide Plumbing Services for ADA Phase 2 and Life Safety Projects**

The Administration recommends that the Board authorize the President or her designee to negotiate final terms and approve Charlie's Plumbing, Inc., for ADA Phase 2 and Life Safety Projects plumbing services estimated at \$200,701.

Regent Hall made a motion, seconded by Regent Guillory, that the Board approve the Administration's recommendation. Chairman Fontenot noted this item was discussed by the Building Committee yesterday.

The motion passed with no dissenting votes. Regent Santana was absent.

### **90.24 Consideration of Approval of Sledge Engineering for Construction Engineering and Consulting Services**

The Administration recommends that the Board authorize the President or her designee to negotiate final terms and approve the agreement with Sledge Engineering for construction engineering and consulting professional services not to exceed \$200,000.

Regent Warford made a motion, seconded by Regent Cotten, that the Board approve the Administration's recommendation. In answer to a question by Regent Moore-Fontenot, Chairman Fontenot confirmed this action is for FY 2025, but said funds could be expended in less than a year.

The motion passed with no dissenting votes. Regent Santana was absent.

### **91.24 Consideration of Approval to Publish a Request for Proposals for the Cosmetology Relocation and Renovation Project**

The Administration recommends that the Board authorize the President or her designee to publish a request for proposals for the Cosmetology Relocation and Renovation Project at 700 W. Texas Ave, Suite 100.

Regent Jirrels made a motion, seconded by Regent Moore-Fontenot, that the Board approve the Administration's recommendation. In answer to a question by Regent Moore-Fontenot, Dr.

Villanueva and John Ditto, Executive Director of Facilities, elaborated on program growth, and on movement of program facilities from T-V 8 to 700 W. Texas.

The motion passed with no dissenting votes. Regent Santana was absent.

#### **92.24 Consideration of the Adoption of the 2024-25 Tax Levy Order and Resolution**

The Administration recommends that the Board adopt the 2024-2025 Tax Levy Order and Resolution fixing and levying the Lee College District ad valorem maintenance and operations rate of \$0.17597/per \$100 valuation and a debt service rate of \$0.02413/per \$100 valuation for the total combined rate of \$0.2001/per \$100 valuation for the fiscal year 2024-2025.

Regent Cotten made a motion, seconded by Regent Jirrels, that the Board approve the Administration's recommendation. Regent Moore-Fontenot read the motion as follows: The Board of Regents is adopting a tax rate for the 2024 tax year of \$0.17597 maintenance and operations rate and \$0.02413 debt service rate, for a total ad valorem tax rate of \$0.2001. This rate is below the voter-approval rate and below the no-new-revenue rate. Discussion ensued.

Regent Hall expressed concern that, while needs are many, the current level of taxation is beyond the capacity of the college to expend income and execute projects to meet needs during a year, leading to "systemic" budget surpluses. Noting that the college budget this year is \$6 million greater than last year and that the college for several years has run budget surpluses, he asked if capacity has increased to process and manage projects, and if the current-year budget increase involves any new "big ticket" items.

Dr. Villanueva said Board approval earlier in the meeting of Sledge Engineering for consulting services is expected to facilitate more project work. Also, she and Ms. Ferguson identified uncertainties that include future and current-year state funding, the extent to which the college will have to pay FAST (Financial Aid for Swift Transfer) program costs, and the possibility that the college may have to return some portion of state appropriations that already are received. Ms. Ferguson said the tax rate being recommended supports the balanced budget that has been adopted, and is the best estimate at the time the budget was being developed.

Lengthy discussion continued regarding various unknowns and uncertainties involving the budget.

In response to a question by Regent Himsel, Regent Hall suggested a total combined tax rate of 18 cents, and added he believes even at that rate, the college likely would run a surplus. In response to questions by Regents Guillory and Cotten, it was confirmed that the Administration's recommended rate of \$.2001 for this year is a reduction of one penny from \$.2101 of last year, and that the one-penny reduction is incorporated into the budget that has been adopted for this year.

Regent Guillory discussed processes for budget development and for implementation/completion of projects, said she is supportive of everything in the budget that was adopted, then said she favors a 1½-cent total tax rate decrease.

Dr. Villanueva said that the operating surplus at Lee College is not uncommon for colleges, that steps are being taken to increase capacity for implementing and completing projects, and that the Administration stands by its recommendation and does intend to spend the income.

Regent Cotten cautioned against ever getting into the situation of needing an election to increase the tax rate. Taxpayers don't remember what they're given, only what you're trying to take, he said.

The motion failed 4-4, with Regents Fontenot, Moore-Fontenot, Cotten, and Warford in favor, and Regents Guillory, Hall, Himsel, and Jirrels dissenting. Regent Santana was absent.

Regent Hall made a motion, under the language previously read by Regent Moore-Fontenot, to adopt a total tax rate of \$0.1951. Regent Himsel seconded.

Chairman Fontenot and Ms. Ferguson said if the Board fails to adopt a tax rate tonight, and if a rate is not adopted by the end of October, that a default rate – the lower of the current rate or the no-new-revenue rate – would take effect. In that scenario, the no-new-revenue rate, which actually is higher than the rate recommended by the administration, would take effect, Ms. Ferguson said.

In answer to a question by Regent Hall, Ms. Ferguson said the additional half-cent off the rate recommended by the administration would equal roughly \$1 million. During discussion, it was clarified that the additional half-cent would involve a reduction to \$0.17097 of the maintenance and operations rate recommended by the administration. Debt service rate would remain at \$0.02413.

This new motion passed 6-2, with Regents Guillory, Hall, Himsel, Jirrels, Warford, and Chairman Fontenot in favor, and Regents Cotten and Moore-Fontenot dissenting. Regent Santana was absent.

### **EXECUTIVE SESSION**

The Board of Regents closed the Open Session at 7:09 p.m. and convened into Executive Session at 7:15 p.m. in accordance with the Texas Open Meetings Act regarding:

1. Consult with Board Attorney regarding legal advice on any item on the agenda [TX Gov't Code § 551.071]
2. Discussion of Lee College President's duties and responsibilities [TX Gov't Code § 551.071]

No action is taken while the Board is recessed into Executive Session.

The Board ended Executive Session at 8:01 p.m. and reconvened into Open Session at 8:02 p.m.

### **MATTERS OF CONCERN FOR FUTURE AGENDAS**

Requesting information about plans for T-V 10, Regent Himsel suggested the college could sell the building as is, thereby saving the expense of demolition, receiving some income, and returning the property to the tax roll. Chairman Fontenot stated that this matter has been under consideration and discussion by the Building Committee.

### **ADJOURNMENT**

Chairman Fontenot declared the meeting adjourned at 8:03 p.m.

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Chairman, Board of Regents

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Secretary, Board of Regents