The members of the Adams State University President’s Executive Council convened in a regular meeting on June 3, 2013 in the President’s Conference Room.

**Call to Order:** President Svaldi called the meeting to order at 9:07 a.m.

**Attendance:**
- Heather Heersink – Present
- Lori Laske – Present
- Tammy Lopez – Excused
- Bill Mansheim – Excused
- Ken Marquez – Present
- Larry Mortensen – Present
- Michael Mumper – Present
- Frank Novotny – Present
- Tracy Rogers – Present
- David Svaldi – Present
- Julie Waechter – Excused
- James Trujillo – Present

**Guest(s):** None

**Approval of Summary**

The May 20, 2013 meeting summary was approved by consent.

**Agenda Items**

**Board of Trustees Planning Session**

Council briefly discussed the upcoming Adams State University Board of Trustees planning retreat scheduled to take place in Salida, CO on July 11-12th, 2013. All those who are planning to attend are asked to contact James Trujillo, Executive Assistant to the President/Board of Trustees, ASAP.

**Athletics Update**

Larry Mortensen, Director of Athletics, informed the board that Adams State will once again host the Colorado High School Coaches Association (CHSCA) all-state high school games on June 4 – 8, 2013. Over 300 athletes will be attending and participating in varied sports including football, volleyball, basketball, wrestling, etc. The closing banquet will take place on Friday with an expected attendance of 750 people. The *RMAC Showcase* will be on campus this week showcasing Adams State and will be shown on the Altitude Channel. Additionally, the Grizzly Club will be hosting a bingo fundraiser at the American Legion Hall on June 15th, 2013 to benefit Grizzly Club Athletic Scholarships. All are welcome and encouraged to attend.

**CHEIBA Update**
Tracy Rogers, Director of Human Resources, informed members of Council that the institution would need to be thinking about the definition of "benefits eligibility". Currently benefits eligibility is defined through the Colorado Higher Education Insurance Benefits Alliance (CHEIBA) Trust as "regularly scheduled to work at least .5 FTE". Under the Affordable Care Act (ACA), an employer must offer benefits for anyone who works an average of 30 hours per week (.75 FTE). Under ACA the institution can no longer exempt temporary employees such as adjuncts. A decision would have to be made to either leave eligibility FTE at .5 and potentially increase the number of employees the institution is required to provide benefits, (i.e. adjuncts teaching at .5 and above), or increase the FTE eligibility to .75 and limit the number of newly eligible employees, and no longer offer benefits to those employees currently benefits eligible at .5 FTE. Council discussed the issue at length. No decision was made at this time.

**Tax Issues**

Ken Marquez, Vice President of Student Affairs, and Tracy Rogers, Director of Human Resources, informed Council that the Attorney General’s Office is working on drafting an amicus brief in support of a petition for certiorari filed by Aramark with the Colorado Supreme Court.

The City of Golden has decided to tax Colorado School of Mines’ meal plans (Aramark is the third-party provider). The Court of Appeals (COA) agreed with the City that Aramark cannot claim an exemption for wholesale sales or an exception for sales to a government entity. On the second issue, the COA concludes that because faculty and staff can purchase meal plan food, and because Mines collects more from students for the meal plan that what it pays to Aramark under the contract, Mines acts in both a governmental and proprietary capacity in providing the meal plan. Aramark is seeking *writ of certiorari* to the Colorado Supreme Court on both issues but is focused primarily on the wholesale exemption issue, and has asked Mines to file an amicus in support of its cert. petition focused on the government entity exemption. Adams State University has been asked to join in the petition supporting Aramark. We agreed that this was an issue ASU is interested in and that we would support joining in the petition.

**Veterans Point of Contact**

Ken Marquez, Vice President of Student Affairs, informed Council that Adams State has a standing agreement with the Department of Defense to be a "veteran friendly campus" and requires the institution to have a "veteran point of contact." Council discussed hiring a temporary, part-time person to fill the role, addressed personnel issues, logistics, and budgetary concerns. It was agreed that the position is needed, and the necessary steps will be taken to get the position filled.

**Personnel Contract Recommendations**

Tracy Rogers, Human Resources Director, presented Personnel Contract Recommendations from the Department of Athletics, Office of Student Affairs/ASUPD, and the Department of
Counselor Education. After extensive review of the requests, including funding sources, Council unanimously agreed to approve the requests as presented.

**Adjournment**

The meeting adjourned at 10:23 a.m.