

**Turtle Mountain Community College
Board of Directors
Annual Evaluation**

*Appendix A
11-29-13
Regular Board of Directors Mtg*

Directions: Please use the 1 to 5 Likert Scale below each question to indicate your rating, with 5 being the highest possible rating.

- 1) Please indicate your views regarding the effectiveness of the TMCC Board of Directors?
(Low) 1 2 3 4 5 (High)
- 2) Please indicate your views regarding the level to which the TMCC Board of Directors upholds the Mission, Goals, and Objectives of TMCC.
(Low) 1 2 3 4 5 (High)
- 3) Please indicate your views regarding the level to which the TMCC Board of Directors upholds the Policies of TMCC.
(Low) 1 2 3 4 5 (High)
- 4) Please indicate your views regarding the level to which the TMCC Board of Directors upholds the Strategic Planning of TMCC.
(Low) 1 2 3 4 5 (High)
- 5) Please indicate your views regarding the level to which the TMCC Board of Directors maintains quality working relationships with the administration.
(Low) 1 2 3 4 5 (High)
- 6) Please indicate your views regarding the level to which the TMCC Board of Directors supports faculty and staff involvement in the decision making process.
(Low) 1 2 3 4 5 (High)
- 7) Please indicate your views regarding the level to which the TMCC Board of Directors supports student involvement in the decision making process.
(Low) 1 2 3 4 5 (High)
- 8) Please indicate your views regarding the level to which the TMCC Board of Directors maintains Budget/Fiscal responsibilities.
(Low) 1 2 3 4 5 (High)

9) Please indicate the level to which the TMCC Board of Directors provides quality guidance to Facilities.

(Low) 1 2 3 4 5 (High)

10) Please indicate the level to which the TMCC Board of Directors supports Cultural Promotion.

(Low) 1 2 3 4 5 (High)

11) Please indicate the level to which the TMCC Board of Directors abides by the Conflict of Interest policy.

(Low) 1 2 3 4 5 (High)

12) Please indicate the level to which the TMCC Board of Directors provides a quality evaluation of the President.

(Low) 1 2 3 4 5 (High)

13) Please indicate the level to which the TMCC Board of Directors holds quality Board of Directors and Special meetings.

(Low) 1 2 3 4 5 (High)

14) Please indicate the level to which the TMCC Board of Directors promotes and upholds attendance.

(Low) 1 2 3 4 5 (High)

15) Please indicate the level to which the TMCC Board of Directors is actively involved with Committees when requested.

(Low) 1 2 3 4 5 (High)

16) Please indicate the level to which the TMCC Board of Directors are well prepared for meetings.

(Low) 1 2 3 4 5 (High)

17) Please indicate the level to which the TMCC Board of Directors provides and adheres to quality meeting agendas.

(Low) 1 2 3 4 5 (High)

18) Please indicate your overall level of satisfaction with the TMCC Board of Directors Evaluation.

(Low) 1 2 3 4 5 (High)

(Note: See next page to make recommendations to this draft evaluation form.)

TMCC Board of Directors Annual Evaluation Recommendations:

1) _____

2) _____

3) _____

4) _____

5) _____

Appendix B
11-29-12
Regular Board of Directors Mtg

TURTLE MOUNTAIN COMMUNITY COLLEGE

MONTHLY REPORT

Submitted by: Jim Davis, President

Month: November 2012

Department: President's Office

Brief Description/Goals of Department: This office has the overall responsibility for fulfilling the mission, goals, and activities of the TMCC.

Monthly Activities:

1. The "Organizing for Success" consultant was on site the week of October 29, 2012, working with us on getting near to finalizing Phase I of the initiative. This was a long and busy week for a lot of committee members. The consultant will return the week of November 26th to continue with our work on Phase I – most of which will be the visioning sessions resulting from our baseline data (internal and external assessments) gathered from early September through the end of October.
2. A lot of work went into the one-day 40th Anniversary celebration for TMCC. This was held on Thursday, November 8, 2012. The event started at 11:00 am and concluded with an ice cream social at about 4:00 pm. I received a lot of positive comments about the event. I personally thank our staff and faculty for organizing this event. We took about 1,000 pictures, so at the 50th anniversary there will be a lot to see and remember from the 40th.
3. No word yet on the P2P/TMCC downtown project. We'll have to wait until the new Council comes on board and see what they say on this. P2P and we met on proposing a youth (ages 18-24) leadership grant that we can collaboratively plan, develop, and offer to youth within our community. We have a chance to receive a \$50,000 grant for this and P2P is considering contributing dollars to this as well.
4. Proposed new college name: I am in the process of pulling together a committee to look at ideas that have about the name change to our college name. I am also in the process of doing some inquiries with other tribal colleges who have had name changes in recent years.
5. The North Dakota Association of Tribal Colleges continues to plan for the 2013 ND Legislative Assembly. Our December meeting is going to be held on Monday, December 10th.
6. I will be attending the annual Midwestern Higher Education Compact conference in Ohio from Sunday through Tuesday, November 18-20, 2012. I am one of five ND delegates, selected by the ND Governor, who attend this meeting involving twelve Midwestern states and their respective colleges and universities. I attend to represent ND and tribal colleges within this region of the country.

Highlights/Successes: The "Organizing for Success" has been moving forward as scheduled with our consultants returning the last week of this month for a weeklong schedule of work that involves, among

other things, at least two days of “visioning” which will result in identifying 3-4 strategic goals we will use for our next strategic plan. We will share these goals with you at the December 8th meeting for your review, discussion, and confirmation. Another highlight for the month was the 40th Anniversary celebration. That event was well attended and very good feedback was provided by those who did attend. I think the information that was shared by the founders, etc., was very enlightening and informative.



APPENDIX C
11-29-12
Regular Board of Directors mtg.

A History of the AIHEC Central Office Building: Real Estate Investment Trust

October 21, 2012

Background: The American Indian Higher Education Consortium (AIHEC) was incorporated in 1973 by the first six Tribal Colleges and Universities (TCUs) in the U.S. In the early years, AIHEC was headquartered in Denver, Colorado, so that staff could meet frequently with and provide technical assistance, if needed, to the developing colleges.

By the 1990s, with more than 20 TCUs in existence, a growing need for a national presence and voice, and an urgent need secure increased and expanding support from the federal government, the AIHEC Board of Directors decided that it was time to move the AIHEC Central Office to the Washington, D.C. area. The goals were to more effectively and efficiently impact the federal budget and legislative processes, expand AIHEC's work with federal agencies on initiatives important to TCUs, and network with the many national higher education and American Indian organizations located in Washington, D.C.

The Purchase:

- In 1994, the AIHEC Board of Directors (comprised of the presidents of the 26 TCUs in existence at the time) decided to buy a free-standing condominium office building at 121 Oronoco Street in Alexandria, VA. The purchase price of the property was about \$800,000.

AIHEC received a grant from the Lannon Foundation of approximately \$354,000 toward the building purchase, and the American Indian College Fund (A*CF), which AIHEC had established a few years earlier, contributed \$250,000, for a total of \$604,000.00, leaving a shortfall of \$196,000.

- To make up for the shortfall, each existing TCU was asked to make a contribution to the AIHEC building. To encourage contributions, the Board decided to create a trust, in which each TCU with the capacity to contribute funds would have an interest (based on the amount of the contribution). AIHEC sought legal counsel and ultimately decided to establish a "Real Estate Investment Trust" (REIT) under the Commonwealth of Virginia.

Twenty TCUs made contributions to purchase and maintain the AIHEC building, ranging in contribution from \$5,000 to \$30,000 (see attached). Each received an undivided interest in the REIT equal to its contribution as a percentage of the total purchase price. The TCUs did not receive an undivided interest in the building/property itself.

- Generally, a REIT is established as a vehicle for investment and profit, where shareholders pool their money and actively buy and sell real estate, constantly seeking greater returns on their investment. For this reason, real estate appraisals, annual audits, annual K-1 form preparation (by the trustee/manager – AIHEC, in this case) and federal tax reporting (by the shareholders – AIHEC, A*CF, and the TCUs) is required.

Restructuring and Evolving:

- Two years into the REIT, A*CF decided that it was too cumbersome, expensive, and in some ways detrimental, for the Fund to continue as a shareholder, so in fall 1997, the Fund offered to sell its shares to interested TCUs for the original purpose price of \$1,000/share.
- Between 1997 and 2001, only one organization purchased shares from A*CF. The TCU-based foundation bought five shares, for \$5,000. In 2002, five years after first offering to sell its shares, A*CF donated its remaining interest in the REIT to then-existing TCUs and AIHEC. (A*CF's interest at the time was 245 shares, or \$245,000.00. Each of the 25 existing TCUs received nine shares, or \$9,000 in an undivided interest in the REIT. AIHEC received 11 shares, or \$11,000 of A*CF's interest).
- In 2004, the REIT shareholders voted to donate \$100,000 of Trust funds to AIHEC to assist the organization with organizational debt incurred in the late 1990s and early 2000s.
- Since 1995, the AIHEC Central Office has managed the AIHEC REIT without compensation. AIHEC staff conduct annual shareholder meeting and audits, manage all fiscal and physical matters related to the building, including making annual tax payments, collecting rent, paying monthly bills, performing routine maintenance, and taking steps to ensure the soundness of the AIHEC building. In recent years, the AIHEC Central Office has contributed its own funds, including approximately \$30,000 to purchase badly needed cost-efficient windows for the building (which has considerable amounts of glass, none of which had been replaced since the building was constructed in the 1970s). AIHEC staff have also managed extensive updating and cleaning of the building's heating and cooling systems; addressed flooding problems in the building; and taken other steps to make the building safe and secure for tenants and visitors.
- Based on analysis from fiscal auditors, accountants, and outside counsel and recommendations by AIHEC management, the AIHEC Board and REIT shareholders have determined that it is time to dissolve the REIT (or consolidate shareholder interests) to minimize duplicative REIT management and costly federal compliance and reporting.
- The 2012 decision of the AIHEC Board and REIT shareholders is consistent with the 1997 decision of A*CF and with building purchases of other higher education and American Indian buildings:
 - A*CF dissolved its interest in the AIHEC REIT in 2002.

- The National Congress of the American Indian purchased its "tribal embassy" in Washington, D.C. with donations from tribes and other stakeholders. The building is owned by NCAI outright, all contributions are considered donations.

- In the late 1990s, the Kellogg Foundation purchased One Dupont Circle for the American Council on Education and other higher education organizations to encourage such organizations to come together as a community in the D.C. area. ACE owns the building and rents space to other higher education organizations.

AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

Share Distribution Notice
To all Share holders of the:
American Higher Education Consortium Real Estate Investment Trust (REIT)

RE: Share Gift Distribution by the American Indian College Fund

Please be advised the American Indian College Fund has distributed its share in the American Indian Higher Education Consortium Real Estate Investment Trust's ownership of the property located at 121 Oronoco Street, Alexandria VA 22314. This gift distribution has been recorded and is effective as of September 30, 2002. Please see the table below for the gift distribution and its effect on the AIHEC REIT Partner's Capital Account Summary.

Investors	Summary – FY 2001	AICF Distribution	Summary- FY 2002
American Indian College Fund	\$245,000	-\$245,000	\$0
American Indian Higher Education Consortium	\$354,000	\$11,000	\$365,000
Bay Mills Community College	-	\$9,000	\$9,000
Blackfeet Community College	\$10,000	\$9,000	\$19,000
Cankdeska Cikana Community College	\$10,000	\$9,000	\$19,000
Crownpoint Institute of Technology	-	\$9,000	\$9,000
Si Tanka University	\$5,000	\$9,000	\$14,000
Dine' College	\$5,000	\$9,000	\$14,000
D-Q University	\$25,000	\$9,000	\$34,000
Chief Dull Knife College	\$10,000	\$9,000	\$19,000
Fond du Lac Tribal and Community College	\$5,000	\$9,000	\$14,000
Fort Belknap College	\$21,000	\$9,000	\$30,000
Fort Berthold Community College	-	\$9,000	\$9,000
Fort Peck Community College	\$30,000	\$9,000	\$39,000
Haskell Indian Nations University	\$5,000	\$9,000	\$14,000
Lac Courte Oreilles Ojibwa Community College	\$20,000	\$9,000	\$29,000
Little Big Horn College	\$8,000	\$9,000	\$17,000
Nebraska Indian College	-	\$9,000	\$9,000
Northwest Indian College	\$30,000	\$9,000	\$39,000
Oglala Lakota College	\$10,000	\$9,000	\$19,000
Salish Kootenai College	\$30,000	\$9,000	\$39,000
Sinte Gleska University	\$10,000	\$9,000	\$19,000
Sitting Bull College	\$5,000	\$9,000	\$14,000
Sisseton Wahpeton Community College	-	\$9,000	\$9,000
Southwestern Indian Polytechnic Institute	\$5,000	\$9,000	\$14,000
Stone Child College	\$10,000	\$9,000	\$19,000
Turtle Mountain Community College	\$10,000	\$9,000	\$19,000
United Tribes Technical College	\$5,000	\$9,000	\$14,000
TOTAL INVESTMENT IN TRUST	\$868,000	0	\$868,000

If you have any questions concerning this gift distribution, I can be reached at 703-838-0400 x 101

Sincerely,



Valerie B. Walker
Director of Finance & Administration, American Indian Higher Education Consortium
On behalf of the American Indian Higher Education Consortium Real Estate Investment Trust

Assignment of Beneficial Interest in the American Indian Higher Education Consortium Real Estate Investment Trust

THIS ASSIGNMENT is made this _____ day of _____, 20 ____, by Turtle Mountain Community College whose address is P.O. Box 340 Belcourt, ND 58316 , (hereinafter referred to as "Assignor"), to American Indian Higher Education Consortium, whose address is 121 Oronoco Street, Alexandria, VA 22314, (hereinafter referred to as "Assignee").

WITNESSETH:

WHEREAS, the Assignor is the owner of an interest in the American Indian Higher Education Consortium Real Estate Investment Trust created under a Trust Agreement dated September 30, 1994 as amended and restated in a writing dated October 1, 1998 (the "Trust"); and

WHEREAS, the Assignor's ownership interest in the Trust expressed as a percentage of the Trust is 2.19% ; and

WHEREAS, the Trust is the record owner of real estate located at 121 Oronoco Street, Alexandria, VA 22314 and other good and valuable assets; and

WHEREAS, the Assignor desires to assign to the Assignee and Assignee agrees to accept all of Assignor's beneficial interest in the trust; and

WHEREAS, the Assignor and the Assignee are both nonprofit entities as designated by IRS code section 501 (C) 3; and

WHEREAS, the Assignor desires that this assignment be treated as a donation to the Assignee; and

WHEREAS, the trust instrument does not prohibit such assignment; and

WHEREAS, the individual(s) executing this Assignment on behalf of the Assignor represent(s) they are vested with full power and legal authority to effectuate the Assignment of the Assignor's Trust interest on behalf of the Assignor;

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged, the Assignor hereby assigns to the Assignee all Assignor's interest as a beneficiary of the Trust and the parties agree as follows:

The Assignor assigns any and all interest it may have in the American Indian Higher Education Consortium Real Estate Investment Trust to the Trustees of the Trust, including, but not limited to, the

ownership interest of 2.19% expressed in the List of Owners of Shares kept in the Trust records along with any benefits representing or arising from the interest assigned hereby.

The Assignor and Assignee agree that the Assignor is transferring Assignor's beneficial interest in the Trust as a donation and expressly warrant that no consideration is expected or can be demanded in exchange for said Transfer.

The Assignor represents that the execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereby and thereby have been duly authorized and approved by the Governing Board/voting members of the Assignor and no other proceedings on the part of the Assignor is necessary to authorize and approve the same.

IN WITNESS WHEREOF, the Assignor has executed this assignment the day and year first above written.

Signed, sealed and delivered in the presence of:

ASSIGNOR: _____

_____ BY:

Witness

(Name of Authorized representative)Assignor

Witness

THIS DOCUMENT SHALL NOT BE RECORDED IN THE PUBLIC RECORDS OF ANY COUNTY.