# BOARD OF TRUSTEES
## FREDERICK COMMUNITY COLLEGE

## March 15, 2023
## Regular Meeting

The Board of Trustees of Frederick Community College met in <u>regular session</u> on Wednesday, March 15, 2023 in the Student Center (H202/203). A virtual option to participate was provided. Participating in person were: Trustees Tom Lynch, Vice Chair; Gary Fearnow; Theodore Luck; and Dr. John Molesworth. Trustee Ellis Barber was unable to attend. Former Trustee Dr. April Miller's position is currently vacant.

Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Edmund O'Meally, PK Law, College legal counsel; Marie Billie, Interim Vice President (VP) for Human Resources; Avis Boyd, Chief of Staff to the President; Jerry Boyd, Special Assistant to the President for Institutional Effectiveness; Lewis Godwin, Chief of Operations (COO); Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Adam Reno, Interim Director of Technology/Chief Information Officer (CIO); Nichole Pollard, Director of Financial Aid; Dr. Benita Rashaw, Associate Vice President (AVP) for Student Affairs; Theresa Dorsey, Administrative Coordinator, President's Office; and Kari Melvin, Recording Secretary.

Participating virtually were Trustee Carolyn Kimberlin, Chair; Janice Spiegel, Special Projects Manager/Budget Office Frederick County Government; Dr. Nora Clark, VP for Student Affairs; Amy Stake, Interim VP for Finance; Laura Cordova, Chair, Faculty Association (FA); Sheri Bailey, Support Staff Association (SSA) Executive; Dr. Kevin Martin, Administrative Staff Association (ASA) Executive; Robin Shusko, Vice

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**Chair, College Senate; Pamela Murphy, Labor Relations Specialist; Dr. Candice Baldwin, Associate Vice President for Student Success; Scott Reece, Executive Director of Network Infrastructure & IT Security Officer; Mike Anderson, Director of Career and Academic Planning Services; Brian Holt, Capital Project Manager I; and Rodney Everett, Vice President, Heidler Roofing Services, Inc.**

## CALL TO ORDER

**The meeting was chaired by Vice Chair Lynch at the request of Chair Kimberlin because she was participating virtually. Vice Chair Lynch called the meeting to order at 4:30 p.m.**

## ESTABLISHMENT OF QUORUM

**President Cheek confirmed the presence of a quorum of the Board.**

## APPROVAL OF MINUTES

**Vice Chair Lynch called for approval of the minutes of the February 22, 2023 regular meeting.**

*On a motion made by Trustee Molesworth and seconded by Trustee Luck, the Board approved the February 22, 2023 regular meeting minutes 5-0-1, as presented, with Trustee Barber absent.*

## PRESIDENT'S REPORT

**President Cheek reported on meetings and events since the February 2023 Board meeting, namely, the monthly meeting of the Maryland Council of Community College Presidents, a Mount St. Mary's basketball game with her children at the invitation of President Dr. Timothy Trainor, the FCC Foundation's Aspire event, the Linganore Hall Ribbon Cutting Ceremony, the monthly meeting with County Executive Fitzwater, a visit**

to the Frederick Innovative Technology Center, Inc. (FITCI) to meet with CEO Kathie Callahan Brady, the March Board of Trustees Retreat, Governor Wes Moore's cabinet meeting held at FCC which included a tour of Linganore Hall, lunch with Foundation Board Chair Phil Sewell and Treasurer Chris Clemons, being the guest of Shannon Aleshire, CEO of the Frederick County Mental Health Association, at Key City Rotary, the FCC Board of Trustees and FCPS Board of Education joint meeting, providing welcome remarks for the Maryland Community Colleges Annual Best Practices Conference and the Maryland Community College Association of Continuing Education & Training Deans and VPs Meeting, and providing testimony in support of FCC's budget request at the County Executive's hearing last night.

President Cheek announced that she and the Board of Trustees will be hosting members of the Frederick County State Delegation for dinner and a tour of the Monroe Center on April 13, 2023.

**INFORMATION ITEM**

**Fiscal Year 2022 Institutional Effectiveness Report** – Special Assistant Boyd presented the FY 2022 Institutional Effectiveness (IE) Report, which Trustees received in their meeting packet. The FY 2022 IE Report highlights activities, data, and outcomes across the College that address the status of the goals and objectives of the College five-year strategic plan, *FCC Forward 2020-2025*. The report includes an assessment of the *Key Objectives for the Interim Year* that Interim President Thomas Powell used to guide the efforts College for FY 2022. The report concludes with a summary of the *FCC FY 2022 Performance Accountability Report (PAR)*, a required annual report for the Maryland Higher Education Commission.

Special Assistant Boyd noted that going forward, the PAR can serve as FCC's IE Report. He recommended that the IE Report not be prepared anymore because it is redundant with the PAR. Trustees expressed support for the recommendation.

The FY 2022 IE Report will be posted on the College website.

*This item was presented for information only – no action was taken or requested.*

## ACTION ITEMS

**Approval of Proposed FY 2024 Credit Tuition and Fees** – Interim VP Stake presented this item. The Board of Trustees approved the proposed operating budget on February 22, 2023. This budget included no increase to tuition which remains at $129/credit for in-county, $282/credit for out-of-county, and $382/credit for out-of-state. Tuition for dual enrollment courses will continue to be 75% of the in-county tuition rate for open campus and high school-based courses with FCC faculty. For high school-based courses with FCPS faculty, tuition will continue to be 43% of the in-county tuition rate.

The approved proposed operating budget also included no increase to the consolidated service fee which remains at $26.00/credit. The student activity fee also remains at $3.34/credit applied to the first ten credits.

Interim VP Stake recommended approval of the proposed FY 2024 credit tuition and fees schedule. Upon approval, the schedule of proposed FY 2024 credit tuition and fees will be used for Fall 2023 registration, which begins on April 24, 2023.

*On a motion made by Trustee Luck and seconded by Trustee Molesworth, the Board approved the FY 2024 credit tuition and fees schedule 5-0-1, as presented, with Trustee Barber absent.*

**Approval of Recommendation to Award – RFB #23-CPPM-01 for Buildings E/S and Building D Flat Roof Replacement Construction Project to Heidler Roofing Services in the amount of $1,533,064 plus a 5% contingency of $76,653.20 to cover any potential unforeseen or hidden conditions, at a total project cost of $1,609,717.20** – COO Godwin presented this item. The College solicited bids from qualified contractors for construction services related to the flat roof replacement project for Conference Center (Building E), Sweadner Hall (Building S), and Athletics Center (Building D).  The renovations are intended to provide improved facilities. The project consists of roofing replacement on the Conference Center (Building E) and Sweadner Hall (Building S), totaling approximately 20,000 sq. ft., and the Athletics Center (Building D), totaling approximately 23,000 sq. ft. The scope of work includes, but is not limited to, the demolition and disposal of the existing ballasted membrane roof and insulation down to the existing steel deck, and installation of new insulation and membrane roofing system with all associated appurtenances as required to meet manufacturer warranty requirements, as well as metal coping and other components, as indicated in the bid documents. These buildings will remain occupied and in full operation during the renovations. As such, the buildings must remain watertight at all times. The tentative project start date is May 22, 2023.

A formal request for bids (RFB) was advertised on eMaryland Marketplace Advantage and posted to the College Bid Board. A pre-bid conference, site inspection, and follow-up site inspection were conducted. Answers to requests for information (RFIs) submitted by potential bidders were addressed in addenda to the RFB. Bidders were requested to bid a base bid for Buildings E/S flat roof replacement, and a base bid for Building D flat roof replacement. They also bid five add alternates for gutters, roof leak

detection and monitoring, sealing exposed brick, and additional safety railing. Six bids were received. One contractor was allowed to withdraw their bid due to a bona fide error in the preparation of their bid, as allowed per the RFB solicitation document. The College elected to award Add Alternates One (gutters for Buildings E/S), Three (leak detection and monitoring for Buildings E/S), Four (leak detection and monitoring for Building D), and Five (sealing exposed brick for Buildings E). The College is not awarding Add Alternate Six (safety railing). Add Alternate Two (gutters for Building D) was not used for this bid because it was determined that there were no visible areas that needed repaired. Heidler Roofing Services was the low responsive bidder.

COO Godwin recommended approval to award RFB 23-CPPM-01 for Buildings E/S and Building D Flat Roof Replacement to Heidler Roofing Services in the amount of $1,533,064 plus a 5% contingency of $76,653.20 to cover any potential unforeseen or hidden conditions, at a total project cost of $1,609,717.20.

Vice Chair Lynch asked about the timeline for the project. COO Godwin answered that they are still working on the timeline because the buildings will be in use. It will be built into the contract.

*On a motion made by Chair Kimberlin and seconded by Trustee Molesworth, the Board approved the award to Heidler Roofing Services 5-0-1, as presented, with Trustee Barber absent.*

**Approval of Piggyback Contract with Astute Business Solutions for PeopleSoft Server Migration Services and Oracle Cloud Licensing in the amount of $380,287.00; Piggyback of the Midwest Higher Education Consortium agreement; Contract: MHEC US-OMA-1164550** – Interim Director of Technology/CIO Reno presented this item. The

College currently maintains 16 server environments and 20 PeopleSoft database instances to operate three PeopleSoft Applications (PeopleSoft Campus Solutions, PeopleSoft Human Capital Management, and PeopleSoft Financials). All of these servers are currently located on the FCC main campus. The Dell equipment in which they reside is almost five years old and nearing end of life in terms of physical longevity and maintenance/support via warranties.

Interim Director of Technology/CIO Reno detailed the industry trend to move enterprise systems to cloud infrastructure and explained the importance of having high levels of redundancy, security, and the ability to change computing resources, which the cloud infrastructure provides. Migrating the PeopleSoft servers to the Oracle Cloud Infrastructure will protect College data by storing it in multiple Oracle Data Centers. It is also less expensive than procuring and configuring a new server on premises.

Interim Director of Technology/CIO Reno recommended approval of the use of the Midwest Higher Education Consortium agreement; Contract: MHEC US-OMA-1164550; with Astute Business Solutions "Astute," for PeopleSoft server migration services and Oracle Cloud licensing in the amount of $380,287.00.

Vice Chair Lynch asked how long data is maintained for a backup. Interim Director of Technology/CIO Reno answered cloud infrastructure will provide real time replication in case something is lost and there will also be backups every 30-60 days. Chair Kimberlin asked whether the College is considering something other than PeopleSoft. Interim Director of Technology/CIO Reno replied not currently. PeopleSoft is one of the highest ranked enterprise systems, but there are some ranked higher. This purchase would not be

wasted if the College wanted to investigate because changing over to a new system is a long, multi-year process which includes an assessment, implementation, and conversion.

*On a motion made by Trustee Luck and seconded by Trustee Molesworth, the Board approved the piggyback contract with Astute Business Solutions 5-0-1, as presented, with Trustee Barber absent.*

## TRUSTEE COMMENTS

Trustee Fearnow said the format for the joint meeting with the FCPS Board of Education was a nice change. He commented on the success of dual enrollment and said he would like to see increased marketing for the program that provides free tuition for high school students and more students to be able to participate in the Early College program. Vice Chair Lynch said he enjoyed being paired with a member of the Board of Education and the team exercise to identify issues of concern. One idea identified was to provide information on alternative pathways to middle school students. Trustees Molesworth and Luck echoed his comments. Trustee Luck said he attended the FCC Foundation Aspire event and that it was very well done. He was most impressed by the student vocalists and musicians. Chair Kimberlin thanked Vice Chair Lynch for chairing the meeting this evening.

## CLOSED SESSION

*At 5:39 p.m., the motion was made by Trustee Molesworth to convene in closed session. The motion was seconded by Trustee Luck and approved 5-0-1 by the Board, with Trustee Barber absent.*

This action was taken in accordance with Maryland's Open Meetings Act, Section 3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline,

demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; Section 3-305(b)(7) to consult with counsel to obtain legal advice; Section 3-305(b)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations; and Section 3-305(b)(13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter. Attending in person were: Trustees Tom Lynch, Vice Chair; Gary Fearnow; Theodore Luck; and Dr. John Molesworth. Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Edmund O'Meally, PK Law, College legal counsel; Avis Boyd, Chief of Staff to the President; and Kari Melvin, Recording Secretary. Marie Billie, Interim Vice President (VP) for Human Resources, joined for a portion of the meeting.

Participating virtually was Trustee Carolyn Kimberlin, Chair. Pamela Murphy, Labor Relations Specialist, joined virtually for a portion of the meeting.

The Board reviewed closed session minutes from February 22, 2023 pursuant to Section 3-306(c)(3)(ii) of the General Provisions Article of the Maryland Annotated Code.

Vice Chair Lynch called for approval of the February 22, 2023 closed session minutes.

*On a motion made by Trustee Molesworth and seconded by Trustee Fearnow, the Board approved the February 22, 2023 closed session minutes 5-0-1, as presented, with Trustee Barber absent.*

*Interim VP Billie and Labor Relations Specialist Murphy joined the meeting.*

The Board obtained legal advice on matters related to potential unionization and

collective bargaining strategy and potential positions. No action was taken.

*Labor Relations Specialist Murphy left the meeting.*

President Cheek provided an update to the Board regarding a personnel matter. No action was taken.

*Interim VP Billie left the meeting.*

The Board discussed the process for the evaluation of the President. No action was taken.

*The meeting adjourned at 6:28 p.m.*

**NEXT MEETING**

The next regular meeting of the Board will be held on Wednesday, April 19, 2023.

Dr. Annesa Payne Cheek
Secretary/Treasurer

Prepared by Kari Melvin
Office of the President
Frederick Community College