

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**May 24, 2023
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, May 24, 2023 in the Student Center (H202/203). A virtual option to participate was provided. Participating in person were: Trustees Carolyn Kimberlin, Chair; Tom Lynch, Vice Chair; Gary Fearnow; Theodore Luck; Dr. John Molesworth; and Myrna Whitworth. Trustee Ellis Barber was unable to attend. Trustee Whitworth was appointed by Governor Wes Moore to serve the remainder of the term of former Trustee Dr. April Miller (July 1, 2019 – June 30, 2024). Trustee Whitworth was sworn in at the Office of the Clerk of the Circuit Court on May 1, 2023.

Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Janice Spiegel, Special Projects Manager/Budget Office Frederick County Government; 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; Dr. Maryrose Eannace, Interim Provost/Executive Vice President (EVP) for Academic Affairs, Continuing Education, and Workforce Development (AACEWD); Lewis Godwin, Chief of Operations (COO); Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Dr. Benita Rashaw, Interim VP for Student Affairs; Adam Reno, Interim Chief Information Officer (CIO); Amy Stake, Interim VP for Finance; Debra Ellis, Treasurer, Faculty Association (FA); John Anzinger, Director of Capital Planning and Project Management; Dr. Molly Carlson, Associate Vice President (AVP) for Continuing Education and Workforce Development; Dr. Sandy McCombe

Waller, AVP for Academic Affairs/Dean of Health, Business, Technology & Science; Dr. Brian Stipelman, AVP for Academic Affairs/Dean of Liberal Arts; Theresa Dorsey, Administrative Coordinator, President’s Office; and Kari Melvin, Recording Secretary.

Participating virtually were Laura Cordova, Chair, FA; Sheri Bailey, Support Staff Association (SSA) Executive; Dr. Kevin Martin, Administrative Staff Association (ASA) Executive; Robin Shusko, Vice Chair, College Senate; Pamela Murphy, Labor Relations Specialist; Nichole Pollard, Director of Financial Aid; Karen Place, Capital Project Planner; Brian Holt, Capital Project Manager I; Dr. Daniel Phelan, Consultant; and other guests.

CALL TO ORDER

The meeting was called to order by Board Chair Kimberlin at 4:30 p.m.

ESTABLISHMENT OF QUORUM

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

APPROVAL OF MINUTES

The Chair called for approval of the minutes of the April 19, 2023 regular meeting.

On a motion made by Vice Chair Lynch and seconded by Trustee Molesworth, the Board approved the April 19, 2023 regular meeting minutes 4-0-3, as presented, with Trustees Barber, Fearnow, and Whitworth absent.

The Chair called for approval of the minutes of the May 11, 2023 Board retreat.

On a motion made by Vice Chair Lynch and seconded by Trustee Luck, the Board approved the May 11, 2023 Board retreat minutes 4-0-3, as presented, with Trustees Barber, Fearnow, and Whitworth absent.

The Chair called for approval of the minutes of the May 12, 2023 Board retreat.

On a motion made by Vice Chair Lynch and seconded by Trustee Molesworth, the Board approved the May 12, 2023 Board retreat minutes 4-0-3, as presented, with Trustees Barber, Fearnow, and Whitworth absent.

PRESIDENT'S REPORT

President Cheek said she had her traditional report prepared, but wanted to reflect on the wonderful Commencement celebration last week. She shared the advertisement that ran in the Frederick News-Post listing the names of the 2023 graduates. She then shared a video thanking all employees, recognizing that each role in the College contributes to student success.

Trustees Fearnow and Whitworth arrived.

CONSENT ITEMS

Pursuant to the Board of Trustees Bylaws, the Board may make one motion and hold one vote for all items designated as consent items on the monthly Board agendas. Any Board member, who for any reason, wants to discuss an item or needs to recuse themselves from voting on an item, may remove the item from the consent list and it will be dealt with as a regular action item. The following items were submitted as consent items and distributed to the Trustees in their meeting packet:

- **Approval of Contract Renewal – Piggyback Contract with WGL Energy Services, Inc. for Natural Gas Supply; Piggyback of Frederick County Public Schools Contract #18MISC4, Natural Gas Supply**
- **Approval of Piggyback Contract with Audio Video Group, for acquisition and installation of AV equipment, in the amount of \$182,831.97; Piggyback of the Maryland Education Enterprise Consortium (MEEC) Contract MEEC #TU-1901**

- **Approval of Piggyback Contract with Doing Better Business (DBB), for leasing of new Multi-Function Copiers including maintenance via a five-year lease period, in the amount of \$6,677.12 per month; Piggyback of the Omnia Contract #2021002788**

Chair Kimberlin asked if any Board member wanted to remove an item from consent.

Hearing none, she asked for a motion for approval.

On a motion made by Trustee Molesworth and seconded by Trustee Luck, the Board approved the consent items 6-0-1, as presented, with Trustee Barber absent.

INFORMATION/DISCUSSION ITEMS

Review of Board of Trustees Bylaws – Chair Kimberlin presented this item. She noted that the Board is currently undertaking the process of updating its Bylaws as part of a governance review and improvement in practice. She explained the role of bylaws and best practices.

Trustees discussed the draft of the revised Bylaws. There was a consensus to either eliminate or add more explanation to the continuity of governance provision. There was also a question as to whether it needs to be specified that a quorum is the majority of the Board.

This item was presented for information only – no action was taken or requested. A final version will be presented for approval at the June 14, 2023 Board meeting.

Review of Draft Ends Policy – Chair Kimberlin presented this item. She noted that the Board has been studying “policy governance” through readings, conferences, and retreats. At the May retreat, they began the extensive work of applying the policy governance framework. It is the Board’s job to establish policies for the President as she leads the College and to monitor the work of the President to ensure that these policies are

being followed. Ends policies are broadly stated and are separate from the College operational policies. Operational policies are delegated to the President.

Trustees reviewed the draft of the first Ends policy created during their May retreat. There was discussion on whether 1.0 (Learner Achievement) and 2.0 (Workforce and Economic Advancement) should be separate. FCC is an integrated institution that provides both. It was suggested that 1.0 and 2.0 be revised to reflect the integrated face of workforce development and academic learning. It was also noted that 1.5 only applies to one segment of FCC's population (College graduates have necessary preparation to transfer to a baccalaureate-granting institution, becoming academically successful there). Additionally, "citizens" should be changed to "residents" under 3.0. The Board will continue to develop Ends policies during their July retreat.

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

Frederick Community College Facilities Master Plan (2023 – 2033) 10-Year Update
– COO Godwin Presented this item. He overviewed the development process that has spanned the last 18 months. Under the 2017-2022 Facilities Master Plan Update, Jefferson Hall reconfiguration was completed, Building E renovation was completed, Linganore Hall renovation was completed, Annapolis Hall renovation was put on hold, and Building D renovation and addition was moved to programming. COO Godwin detailed the existing conditions and driving forces of the plan. The proposed ten-year development plan includes: the re-envisioned Health & Wellness Building and renovation of Building D with state and county funding; a Campus Services Building with county funding; an Innovation and Technology Center with state and county funding; and an Enrollment Services/Welcome Center with county funding. Long-range campus development includes: reorganization of Athletic/Recreation Fields; Fine & Performing Arts/Realign Loop Road;

the renovation of Jefferson Hall/demolition of Annapolis Hall and expansion of Campus Quad; Athletic/Recreation Field Houses; and a future Academic Building. Further details are available in the Facilities Master Plan.

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

Approval will be requested at the June 14, 2023 Board meeting.

ACTION ITEMS

Appointment of Board Nominating Committee – Board Chair Kimberlin appointed Trustees Barber and Molesworth to serve as the Nominating Committee for the FY 2024 slate of officers. The Nominating Committee will present its report at the June 14, 2023 Board meeting.

Approval of Frederick Community College 2024-2025 Calendar – Interim Provost/EVP Eannace presented this item. The proposed calendar was developed by the Calendar Committee of the College Senate. It was approved by the Senate on April 24, 2023 and presented to the President’s Cabinet for review. The proposed Calendar includes College holidays, College breaks, and two days for College convocations. The Fall Convocation will be on August 22, 2024 and the Spring Convocation will be on January 16, 2025. The Celebration of Excellence is scheduled for April 11, 2025. Commencement will be held on May 22, 2025. The proposed Calendar meets all academic requirements for all College programs. FCC’s spring break does not align with the spring break for Frederick County Public Schools (FCPS) in 2025. FCC and FCPS have committed to working together in the future to better align their calendars.

On a motion made by Trustee Luck and seconded by Trustee Fearnow, the Board approved the Frederick Community College 2024-2025 Calendar 6-0-1, as presented, with Trustee Barber absent.

Approval of Recommendation to Award – RFB 23-CEWD-02 Motorcycles for Instruction in the amount of \$61,072 – Interim Provost/EVP Eannace presented this item. The College solicited bids from qualified bidders for 14 new motorcycles for the College Motorcycle Safety Program. The current fleet consists of 16 bikes. All but two of the bikes have reached the end of their life span and need to be replaced. The motorcycles will be used for student instruction only and must be suitable for students who have little or no riding experience. Delivery of the motorcycles is to be completed no later than June 23, 2023.

A formal request for bids (RFB) was advertised on eMaryland Marketplace Advantage and posted to the College Bid Board. A pre-bid meeting was held to review the project scope of work and address questions. No bidders attended the pre-bid meeting. Bidders were able to submit requests for information (RFIs) that would be addressed in addenda to the RFB. No questions were received, and an addendum was not posted.

One bid was received. JT Motorsports, Inc. was the low responsive bidder.

On a motion made by Trustee Molesworth and seconded by Trustee Fearnow, the Board approved the award to JT Motorsports, Inc. 6-0-1, as presented, with Trustee Barber absent.

TRUSTEE COMMENTS

Trustees commented on the Commencement week ceremonies and thanked the entire College community.

CLOSED SESSION

At 5:23 p.m., the motion was made by Vice Chair Lynch to convene in closed session. The motion was seconded by Trustee Luck and approved 6-0-1 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 Carolyn Kimberlin, Chair; Tom Lynch, Vice Chair; Gary Fearnow; Theodore Luck; Dr. John Molesworth; and Myrna Whitworth. Also attending in person was 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, joined for portions of the meeting.

Participating virtually for portions of the meeting were Pamela Murphy, Labor Relations Specialist, and Dr. Daniel Phelan, Consultant.

The Board discussed the evaluation of the President. Present were Trustees and President Cheek. Dr. Phelan was present for a portion of the discussion. No action was taken.

President Cheek left the meeting and Mr. O’Meally joined.

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

Trustee Fearnow left the meeting and President Cheek, Chief of Staff Boyd, and Ms. Melvin joined.

The Board reviewed closed session minutes from March 15, 2023 pursuant to Section 3-306(c)(3)(ii) of the General Provisions Article of the Maryland Annotated Code.

On a motion made by Trustee Luck and seconded by Trustee Molesworth, the Board approved the March 15, 2023 closed session minutes 4-0-2-1, as presented, with Trustees Barber and Fearnow absent and Trustee Whitworth recusing herself.

Ms. 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.

On a motion made by Trustee Molesworth and seconded by Trustee Luck, the Board approved to adjourn the meeting 5-0-2 at 7:15 p.m., with Trustees Barber and Fearnow absent.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, June 14, 2023.

Dr. Annesa Payne Cheek
Secretary/Treasurer

Prepared by Kari Melvin
Office of the President
Frederick Community College