

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

September 18, 2013

The Board of Trustees of Frederick Community College met in regular session on Wednesday, September 18, 2013 in the Chris T. Matthews Board Room (A201). In attendance: Trustees Debra S. Borden, Chair; David F. Bufter, Vice Chair; Nick Diaz; Gary V. Fearnow; Doris J. White; Myrna R. Whitworth; and Roger A. Wilson. Also in attendance: President Douglas D. Browning, Secretary/Treasurer of the Board; Diane Morton, Recording Secretary; Shelby Carmon, Chair, Support Personnel Association; Tonya Ervin, representing Administrative Staff Association; Mary Mogan-Vallon, Chair, Faculty Association; Corwin Parker, Chair, College Senate; Chantell Brooks, representing Student Government Association; and other members of the College staff.

CALL TO ORDER

The meeting was called to order by Board Chair Debra Borden at 7:02 p.m. The Chair recognized the Affinity Group representatives and others present.

APPROVAL OF MINUTES

The Chair called for approval of the minutes of the August 14, 2013 regular meeting of the Board. No changes were recommended, so the Chair declared the minutes approved as presented.

REPORTS OF SPECIAL COMMITTEES/PUBLIC PRESENTATIONS

There were no items under this heading for this meeting.

PRESIDENT'S MONTHLY REPORT

President Browning gave highlights from his written report, which the Board members received in their meeting packets. Also included in the President's written report were the following: Facilities Planning Annual Report to the Board, CIP Construction Project Updates and Change Order Log, Monthly Enrollment Update, and College Highlights. The Monroe Center Report, normally included in the President's written report, was distributed at the Board meeting.

BOARD DISCUSSION OF STRATEGIC ISSUES/INITIATIVES

Faculty Ratio – Impact from FY 2014 Budget Actions – President Browning and David Croghan, Interim Vice President for Learning, presented this item. The Board of Trustees set a priority during the FY 2014 budget process to improve the faculty/adjunct ratio. At the time, the College was at 65% adjunct/35% faculty. President Browning and Mr. Croghan distributed a handout: “Facts “R” Us (Fall 2013) – Full- to Part-Time Faculty Ratio. Six full-time faculty positions were created in the FY 2014 budget. These positions were a start at reversing a downward trend and improved the ratio by 5% -- 60% adjunct/40% faculty. A corner has been turned, but there is still work to do. Trustee Borden questioned why the full-time ratio in Science is low. Mr. Croghan stated that is probably because of the way labs are accounted for. In answer to a question about retiring faculty, Mr. Croghan stated that full-time faculty retirements will be rehired as full-time faculty, but not necessarily in the same department. The College will be looking at the areas of need when making those decisions. Trustee Butfer commented that Math and English are set programs, but Science is constantly changing – would those Science classes be better served by adjuncts from local technology companies? Mr. Croghan stated they

would and the College is keeping a lively adjunct pool for Science classes. Trustee Diaz commented it takes more than one year to make a trend, but keep up the good work.

ACTION ITEMS

Charter for Board of Trustees Communication and Outreach Committee – Debra Borden, Board Chair, presented this item. The item was brought to the Board for information at the August 14, 2013 Board meeting. Trustee Borden stated she received no revisions to the Charter, so she recommended Board approval of the Charter, as presented.

The motion was made and seconded to approve the Charter for the Board of Trustees Communication and Outreach Committee, as presented. The Board, by individual vote, unanimously approved the motion.

Award Recommendation: RFB #14-FP-01 – Construction Services for Building C – New Addition and Renovations – Dana McDonald, Interim Vice President for Administration, presented this item. She stated that there were some changes to this item since the Board packet went out. Bids were received and opened on September 10. The College received eleven (11) responses. Of the top three bids received, Biscayne Contractors came in as the low bid. They subsequently withdrew their bid because they made a significant error in their price proposal. The College went to the next company on the list – Tuckman-Barbee Construction Company. They confirmed their price and references were checked. President Browning stated this project is jointly funded by the State and County. Ms. McDonald added that Tuckman-Barbee’s total contract sum amount of \$8,087,103 is within the State of Maryland and Frederick County approved budgets for this project. Ms. McDonald recommended Board approval to award the contract for construction services for the new addition and renovations of Building C to the

confirmed low responsive bidder, Tuckman-Barbee, in the amount of \$8,087,103, which includes a \$50,000 Allowance amount (for potential permit/inspection changes) and a \$41,103.70 Unit Prices amount (for potential miscellaneous changes).

The motion was made and seconded to award the contract for construction services for the new addition and renovations of Building C to the confirmed low responsive bidder, Tuckman-Barbee Construction Company, in the amount of \$8,087,103, which includes a \$50,000 Allowance amount (for potential permit/inspection changes) and a \$41,103.70 Unit Prices amount (for potential miscellaneous changes). The Board, by individual vote, unanimously approved the motion.

Award Recommendation: RFP #14-FP-02 – Architectural Services for Building B – Reconfiguration and Conversion – Dana McDonald presented this item. She stated that the overall project will provide fifteen (15) classrooms (two of which are “outdoor” classrooms), four (4) laboratories, twenty-five (25) offices, two (2) mathematics testing centers, and other support space. The project will update building infrastructure and allow for more flexible classroom and laboratory spaces for a variety of teaching approaches, increase workspace for faculty, and provide additional student support services space for tutoring/testing, and study space for the College’s Mathematics program and Engineering courses. Ms. McDonald stated that the College received five (5) proposals to the RFP. There were two phases for grading – a technical phase and a cost phase. The top two proposals from the technical review were reviewed for cost. Although not the lowest bidder, the Evaluation Committee found Grimm & Parker Architects to be the most qualified A/E firm to meet the needs of this building reconfiguration and conversion project based on their overall approach to the project, qualifications of the project

management team, related experience in higher education facilities, LEED or equal experience, and cost proposal. President Browning added that Grimm and Parker were the architects for the Classroom/Student Center. Ms. McDonald recommended Board approval to award the contract to Grimm & Parker Architects for architectural services for the Building B reconfiguration and conversion project, for the fee proposal of \$646,820.00.

The motion was made and seconded to award the contract to Grimm & Parker Architects for architectural services for the Building B reconfiguration and conversion project, for the fee proposal of \$646,820.00. The Board, by individual vote, unanimously approved the motion.

INFORMATION/DISCUSSION ITEMS

MHEC 2013 Performance Accountability Report (PAR) – Gohar Farahani, Executive Director of Assessment and Research, presented this item. She stated that the Performance Accountability Report is an important public document that all higher education institutions need to submit to MHEC. The Board of Trustees approved the indicators and benchmarks in 2011. The College has until 2015 to achieve those benchmarks. There are 56 benchmarks and the College has achieved 26 benchmarks or 46%. Ms. Farahani reviewed the report with the Board. She stated the report will be on the October agenda for approval. The report is due to MHEC by October 25.

Trustee Bufter commented there are two years left on the benchmarks – are there the necessary resources in the budget to achieve the benchmarks by that time? Ms. Farahani stated that the benchmarks need to be tied into the tactical plans. Specific strategies need to be developed to achieve the benchmarks. It might be that we need to

rethink and change some of the benchmarks. David Croghan stated that the benchmarks to MHEC come through the Board of Trustees. The Board could look at a benchmark and decide to change it. He added some of the benchmarks should be reexamined and changed. Trustee Whitworth stated SB 740 changes the relationship between two-year and four-year colleges – should that be figured into the benchmarks? David Croghan stated that if something new comes into play, we might need to go back and look at the benchmarks. Commissioner Smith asked if there are any consequences to not meeting the benchmarks. Ms. Farahani stated there are no consequences because the benchmarks are not linked to the budget. However, the Performance Accountability Report is a public document and the consequence is that the College will be asked to explain the outcomes. Rich Haney added that MHEC doesn't set the benchmarks, the individual colleges do. One college could set a stretch benchmark while another college sets a lower benchmark for the same purpose.

This item was presented for information only. The Performance Accountability Report will be on the October 16, 2013 agenda for Board approval.

Policy 1.11 – Election of Officers – Board of Trustees – President Browning presented this item. He stated that the Board's process for electing officers has been awkward. Carol Eaton, former FCC President, drafted the revisions to this policy. President Browning stated he decided to resurrect the revised policy and present it to the Board for review and approval. The proposed revisions simplify and clarify the election process and also bring the policy in line with Robert's Rules of Order.

This item was presented for information only. Policy 1.11 – Election of Officers – Board of Trustees will be on the October 16, 2013 agenda for Board approval.

Committee to Review and Revise the Board of Trustees Job Description and

Individual Trustee Expectations – The Board Chair presented this item. She stated the Board received the current version in their packets. The Board has taken this up at a number of retreats and never got around to updating the documents. She added the Board could discuss the documents at the retreat this Saturday (September 21) or at another Board meeting. The current version was prepared for the January 5, 2013 Board retreat, but the Board was not satisfied with the revisions. Because there are new Trustees, Trustee Borden felt it would be a good idea to take another look at the documents. She asked for a volunteer to revise the Trustee Job Description and Individual Trustee Expectations. No one volunteered, so Trustee Borden said she would revise the documents and have a draft for review at the Board retreat on Saturday.

TRUSTEE COMMENTS

Trustee Buffer stated the CIP plan indicated a lack of funding. He stated that energy savings performance contracts fund improvement and cost offset by utility savings. He added Sam Young started looking at this before he retired. Trustee Buffer asked if anything further has been done with this. He stated this is a way to bring capital to the table and is used in federal facilities all the time. Dana McDonald stated she would talk with Diane Branson about this.

Trustee Diaz stated he had a message from a former student who is a Physics teacher in Pennsylvania. The teacher has observed that some students in AP Physics want to drop down to maintain their GPA. Trustee Diaz stated this is an alarming trend. He questioned whether this is happening in Frederick County at the high school and community college level. Commissioner Smith stated it is happening at the high school

level. Laura Mears, Associate Vice President for Enrollment Management, commented that the trend has been out there for five to ten years, but has not had an impact on college courses at FCC.

Trustee Borden stated that the Career and Technology Center (CTC) has asked for a liaison from the Board to fill the position former Trustee Dixie Miller had on their advisory committee. Trustee Diaz volunteered to represent the Board on the CTC advisory committee.

ADJOURNMENT TO CLOSED SESSION

The motion was made and seconded to adjourn to Closed Session at 8:02 p.m. The Board, by individual vote, unanimously approved the motion.

This action was taken in accordance with Maryland's Open Meetings Act, Section 10-508(a):

(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals.

(8) To consult with staff, consultants, or other individuals about pending or potential litigation.

(14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

CLOSED SESSION

In attendance: Trustees Debra S. Borden, Chair; David F. Bufter, Vice Chair; Nick Diaz; Gary V. Fearnow; Doris J. White; Myrna R. Whitworth; and Roger A. Wilson. Also in attendance: President Douglas D. Browning, Secretary/Treasurer of the Board; Diane Morton, Recording Secretary; David Croghan, Interim Vice President for Learning; Dana McDonald, Interim Vice President for Administration; and Don Francis, Associate Vice President for Human Resources.

The Board met in Closed Session to discuss the following items:

- 1) Possible move of a specific Frederick County program to the Monroe Center
- 2) Status of pending lawsuit filed by two former FCC employees
- 3) EEOC complaint filed by a FCC employee
- 4) RFP for FCC's Children's Center
- 5) Potential collaboration with a specific four-year institution
- 6) Discussion of qualities/experience of specific individuals under consideration for community positions on the Presidential Search Committee
- 7) Status of contract with a specific public relations firm

The motion was made and seconded to return to Open Session at 9:28 p.m. The Board, by individual vote, unanimously approved the motion.

ADJOURNMENT

The motion was made and seconded to adjourn immediately at 9:28 p.m. The Board, by individual vote, unanimously approved the motion.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, October 16, 2013 at 7:00 p.m. in the Chris T. Matthews Board Room (A201).

Douglas D. Browning
Secretary/Treasurer

Prepared by Diane Morton
Office of the President
Frederick Community College
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