

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

June 19, 2000
4:00 P.M.

Lecture Auditorium
Titusville Campus

PRESENT: Eugene C. Johnson, Chairman; Betts O. Silvernail, Vice Chairman;
James W. Handley; Mrs. Miriam E. Martinez; Dr. Alexandra M. Penn Williams;
Joe D. Matheny, Attorney; Thomas E. Gamble, Secretary

1. CALL TO ORDER:

Mr. Johnson, Chairman, called the meeting to order.

Dr. Gamble added to the agenda, "9.b.(1), "Authorization to Provide Faculty Raises." Dr. Penn Williams asked to place the following items on the regular agenda: 6.a., "Approval of Midwest Research Institute (MRI) Building Extension;" 8.c.(2), "Acceptance of Audits, Year Ending 1999;" 8.c.(4), "Approval of Annual Report of Conditions for DSOs;" and 9.h., "Approval of Budget Amendment #3, 1999-2000." Mr. Handley asked to have 9.g., "Monthly Budget Summary" added to the regular agenda.

2. CONSENT AGENDA:

Dr. Gamble recommended approval of the consent agenda items as presented:

- 3.a. Minutes - Board of Trustees Meeting - May 15, 2000
- 3.b. Minutes - Board of Trustees Budget Workshop Meeting - May 22, 2000
- 7.b. Continuation of Legal Services
- 7.c. Approval of Revision to College Policy #103.03
- 8.a. Approval of Personnel Actions
- 8.c.(3) Acceptance of IRS Forms for DSOs
- 8.c.(5) Approval/Confirmation of Board of Directors
- 9.c. Approval of Annual Fee Schedule
- 9.d. Approval of College Memberships
- 9.e. Approval of Write-Offs of Uncollectible Accounts
- 9.f. Disposition of Surplus Property

Mrs. Silvernail moved approval of the consent agenda items as presented. Mr. Handley seconded the motion. All those voting in favor of the motion - Handley, Silvernail, Martinez, Penn Williams, Johnson; opposed - none. Motion unanimously approved.

3. APPROVAL OF THE OFFICIAL MINUTES OF PREVIOUS MEETING:

- a. Minutes - Board of Trustees Meeting - May 15, 2000

Approved – consent agenda.

- b. Minutes - Board of Trustees Budget Workshop Meeting - May 22, 2000

Approved – consent agenda.

4. COMMUNICATIONS:

- a. Report on Multi-Media Programs - Titusville Campus - Dr. Koller/Mr. Hogue
Ms. Talluto

Dr. Al Koller, Titusville Campus President, provided a brief summary of innovative activities occurring at the college, in particular the Titusville Campus. He distributed an excerpt from the *Florida Today* dealing with multimedia. Dr. Koller introduced Ms. Rebecca Talluto, Titusville Campus Associate Dean of Students, who gave a presentation on the electronic newsletter which has been submitted to approximately 491 students this month. The purpose of the newsletter is to enhance communication and to provide a connection with students to thereby improve retention. Dr. Gamble reported the newsletter is a pilot effort and will be evaluated for implementation at the other campuses. Discussion was held on having the newsletter posted on the college website.

Dr. Koller introduced Mr. John Hogue, Titusville Campus instructor in the math/science and technology department. Mr. Hogue reported on a new certificate program offered in multimedia. This summer, although the program was not advertised, there were seventeen students registered. Multimedia teaches the students skills to manipulate text, graphics, sounds, animations, straight video and virtual reality creations. Careers in multimedia require a variety of skill sets and is one of the issues the certificate program meets. Mr. Hogue gave a

presentation on a multimedia project prepared by a student and described skills that are taught in the multimedia certificate program. Grants were obtained to set-up a small lab and to provide for some future needs. Application is being made for a Capitalization Incentive Program grant for 2001 to further the multimedia program and to purchase new software and hardware. Contact has been established with a variety of employers for internships as this is an integral part of the certificate program. Boeing, United Space Alliance, and Ten-Spot Design Studio are three of the companies which will offer internships.

Dr. Astrab reported the state has an approved A.S. degree in multimedia technology, however, there is no certificate program. If the program receives approval from the Educational Program Committee, the state curriculum guidelines would be followed to establish an A.S. degree in multimedia. Mr. Hogue answered questions presented by the Board of Trustees.

5. CITIZEN'S PRESENTATION:

a. Jonnie Swann

Ms. Jonnie Swann, citizen, spoke on behalf of the College's photography program. Dr. Gamble reported the A.S. photography program will be discontinued due to the low demand, however, courses will continue to be offered that have had consistent enrollments in the photography area. Dr. Astrab reported on the development of a photography certificate program at the college as an alternative. Mrs. Silvernail suggested Ms. Swann contact Dr. Gamble to schedule a meeting to discuss her concerns regarding the photography program.

6. CONSTRUCTION AND DEVELOPMENT:

a. Approval of Midwest Research Institute (MRI) Building Extension - Palm Bay Campus - Dr. Purga

Dr. Gamble reported that the Midwest Research Institute (MRI) building extension has been reviewed in detail by the Florida Education and Research Foundation (FERF) and the Florida Teaching and Research Laboratories (FTRL) Boards and both boards have approved the request. Dr. Penn Williams stated she had a concern as a lease was not included in the Board packet for the MRI building extension. Mr. Matheny reported the facility is a modular facility which would be placed on property already leased to the Midwest Research Institute. A new lease agreement would be innocuous as there would be no new rent or terms.

It is simply placing a modular extension on property already occupied. Mr. Matheny recommended a memorandum of agreement be prepared between Midwest Research Institute and the Florida Education and Research Foundation. Dr. Gamble recommended approval of the Midwest Research Institute's request for a building extension next to their existing facility in Palm Bay.

Mr. Handley moved approval of Midwest Research Institute's request to construct a 1,100 square foot addition next to their existing facility and that Mr. Matheny ensure the necessary legal documents are prepared. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Martinez, Penn Williams, Silvernail, Handley, Johnson; opposed - none. Motion unanimously approved.

b. Approval of Welcome Center Plans for Cocoa Campus and Melbourne Campus - Mr. Little, Mr. Sorci

Mr. Al Little, Vice President of Finance and Administrative Services, reported the college has been working with Florida Architects, Inc., for several months to develop renovation plans for the student welcome centers at the Cocoa and Melbourne Campuses. H.J. High is the construction manager for the projects. Mr. Sorci reviewed the plans for the welcome centers and answered questions from the Board of Trustees. Mr. Little reported a final approval will be required in a few months, however requested a consensus of approval from the Board for moving forward with the final plans. Dr. Gamble recommended approval of the Welcome Center Plans. It was the consensus of the Board to move forward with the final Welcome Center Plans for the Cocoa and Melbourne Campuses.

7. **OLD BUSINESS:**

a. Report on Pending Legal Actions - Mr. Matheny (Addendum)

(1) Stottler Stagg

Dr. Penn Williams asked if Stottler Stagg had provided any of the costs for the bid protest settlement. Mr. Matheny reported the college is negotiating, not only for the \$15,000, but the additional funds the college lost due to errors.

(2) City of Cocoa vs. BCC

Mr. Matheny reported he has spoken to the City of Cocoa attorney and the City of Cocoa is in a state of reorganization. The City attorney is unsure of the direction of the new City administration with regard to the negotiations with the college regarding stormwater fees. He will provide an update to the Board when he receives additional information.

(3) Lloyd Creel Case

Mr. Matheny reported the Board had adopted the administrative law judge's recommendation in the Creel case and entered an order consistent with that adoption and recommendation. This order was forwarded to Mr. Creel's attorney, along with his sick leave and employment check approved by the Board. The funds have been accepted, however, Mr. Creel has chosen to file an appeal. The appeal is directly to the Fifth District Court of Appeals in Daytona Beach. The college does not know the basis of his appeal and will not know until the brief is filed. Mr. Matheny recommended the college have Mr. Jesse Hogg handle the appeal.

(4) Ross Case

Mr. Matheny reported that Mr. Hogg handled the Ross case and the ruling in the case has not been adopted by the District Court, however, there is reason to believe it will be adopted. Mr. Matheny expected that the ruling will be appealed.

(5) Other Issues

Mr. Matheny reported on a meeting he attended of the community college attorneys and it was discussed at the meeting that community colleges could establish charter schools. Santa Fe Community College filed an application for a charter school which met with substantial resistance from the school board and negotiations have been underway for approximately one year. The outcrop of that has been a tentative agreement between the community college and the school board to provide dual enrollment at the college campus for high school students. The school board did not want the charter school, therefore, agreed to pay 90% of the dual enrollment classes.

Mr. Matheny reported the legislature has passed an act that eliminates the statute that creates the community college and eliminates the Board of Regents and the

Division of Community Colleges and other agencies. There were 27 laws which were appealed. The act provides how the new commission of education is appointed and creates an eleven panel board to transition the community colleges into a whole new department of education. A chancellor will be appointed of the university system, K-12, the community college system, as well as a chancellor for the remaining entities. Fifteen agencies will cease to exist on January 7, 2003, which will include the division of community colleges. The task force that is to be appointed by October 1, 2000, to implement this, will include five people appointed by the governor, three by the senate president, and three by the speaker of the house.

Dr. Gamble reported the community colleges are trying to identify potential candidates for this committee. The committee cannot include any current board members. The intent of the system is to identify key people in industry to represent the community colleges. This is an extremely important change for education in the state. There is concern about the coordination of efforts with community colleges, however, at the same time there may be some opportunities. Dr. Gamble will provide future reports to the Board of Trustees regarding this matter.

b. Continuation of Legal Services - Dr. Gamble

Approved – consent agenda.

c. Approval of Revision to College Policy #103.03 (2nd Reading) - Dr. Gamble

Approved – consent agenda.

8. NEW BUSINESS:

a. Personnel Actions (Addendum)

Approved – consent agenda.

b. Renaming of Allied Health Building - Dr. Gamble/Dr. Flom

Dr. Gamble reported a long-term organization in the Brevard County community, the Harbor City Volunteer Ambulance Squad (HCVAS), Inc., has donated \$516,000 to the BCC Foundation to be used by the Allied Health Division. He

introduced Dr. Elena Flom, Foundation Executive Director, who reported the funds will be used for scholarships and equipment. Dr. Flom introduced Ms. Judy Brown, the Director of Human Resources for Harbor City. The Foundation Board of Directors have approved a recommendation to seek the approval of the District Board of Trustees to rename the Allied Health Building the "HCVAS Allied Health Building" in light of the donation. Dr. Gamble recommended approval of the renaming of the Allied Health Building to the HCVAS Allied Health Building.

Mrs. Silvernail moved approval of renaming the Allied Health Building to the HCVAS Allied Health Building. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Silvernail, Martinez, Penn Williams, Handley, Johnson; opposed - none. Motion unanimously approved.

c. Direct Support Organizations - Mr. Cherry (Addendum)

(1) Approval of DSO Budgets

Mr. Mark Cherry, Associate Vice President of Collegewide Accounting, reported in accordance with Florida Statutes and college policy, the 2000-2001 operating budgets are being presented for approval by the Board of Trustees. The budgets include the restricted and unrestricted operations of each direct support organization, as well as support from the college's unrestricted budget. The boards of the BCC Foundation, Cocoa Village Playhouse, and the King Center for the Performing Arts have approved the budgets. The board chairs of the Florida Education and Research Foundation and the Florida Teaching and Research Laboratories have reviewed the respective budgets and full approval will occur at the next scheduled meeting. The recommended budgets represent a positive cash flow for all organizations. There will be no increase in debt or college cash support for operating activities of these organizations. Dr. Penn Williams asked Mr. Cherry to explain the implementation of no negative cash flow. Mr. Cherry reported in the past with the Brevard Teaching and Research Laboratories (BTRL) operating activities, in addition to the lease payment, the revenues did not materialize to support those activities. Now that the agreement with Midwest Research Institute is in place, the cash demands on the College have been stopped, therefore, the biggest requirement is the bond payment. Mr. Cherry reviewed the budget for the Florida Teaching and Research Laboratories (FTRL) and the

Florida Education and Research Foundation (FERF). The FERG budget includes funds for the annual audit and the second part of the Tsamoutales contract which extends into next year and terminates February 19, 2001.

Mr. Handley moved approval of the direct support organization budgets for 2000-2001 as presented. Mrs. Silvernail seconded the motion. All those voting in favor of the motion - Handley, Penn Williams, Silvernail, Johnson, Martinez; opposed - none. Motion unanimously approved.

(2) Acceptance of Audits, Year Ending 1999

Dr. Gamble requested approval by the Board of the audits presented for the year ending 1999 for the BCC Foundation, Inc.; the Cocoa Village Playhouse, Inc.; Florida Education and Research Foundation, Inc.; and the Maxwell C. King Center for the Performing Arts, Inc. Mr. Cherry reported the audit for the Florida Teaching and Research Laboratories, Inc., will be presented to the Board at the August Board meeting.

Mrs. Silvernail moved approval for acceptance of the four DSO audits as presented. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Silvernail, Martinez, Penn Williams, Handley, Johnson; opposed - none. Motion unanimously approved.

(3) Acceptance of IRS Forms for DSOs

Approved – consent agenda.

(4) Approval of Annual Report of Conditions for DSOs

Dr. Penn Williams commented that in the study prepared by the District President's Task Group on Direct Support Organizations (DSO) in the executive summary it states FERG should be completely reorganized to function as the operator of the cleanroom. Dr. Gamble reported the Task Force Group report was issued in 1998 prior to the sale of the cleanroom. Dr. Penn Williams asked if the DSO Task Group was a standing committee and if a board member would be appointed to that committee, along with the other appointments for committee

Currently, Mr. Johnson serves on that committee. Dr. Gamble stated he would add the Task Group to the list of committees/boards to be considered later in the agenda. Dr. Gamble stated the Task Group is a standing committee and a letter was prepared by Mr. Cherry, dated October 4, 1999, addressing the concerns of the Task Group. Only one concern still remains and that is the establishment of an investment policy. Dr. Gamble discussed the college employee membership policy for the DSO boards and having them serve as ex officio members. This issue will be taken to the DSO Task Group for a recommendation.

Dr. Penn Williams moved approval of the annual report of conditions for the college and added that the District Board of Trustees exhaust everything possible to satisfy the bond debt for the FTRL facilities. Mrs. Silvernail seconded the motion. All those voting in favor of the motion - Penn Williams, Silvernail, Martinez, Johnson; opposed - Handley. Motion approved 4-1.

d. Discussion - Board of Trustees Self-Evaluation - Mr. Johnson/Dr. Penn Williams (Addendum)

Dr. Gamble suggested the Board may want to spend more time on the self-evaluation and defer this item to a later date. It was the consensus of the Board to conduct a workshop on this topic.

9. FINANCIAL ACTIONS:

a. Approval of Student Fees, 2000-2001 - Mr. Little (Addendum)

Mr. Little reported 22% of the revenue budget is composed of student fees. The student fees presented to the Board are used to compute the student fees portion of the budget. The legislature sets a standard fee each year and the college must stay within a 10% parameter of that figure for advanced and professional postsecondary vocational and college prep classes. For adult vocational and vocational prep, the college is required to charge exactly what the legislature authorizes. The proposed fees have been reviewed by the Division of Community College's staff to verify that they fall within the prescribed guidelines. An increase is proposed for credit classes from \$45.00 per credit hour to \$47.50 per credit hour. This increase is consistent with the legislative adjustment and the

college anticipates these fees to approximate the statewide average. He asked that the Board include approval of a statement which authorizes the college to charge fees in vocational supplemental and workforce development which are sufficient to generate at least fifty percent of the total cost of teaching the class. This is also a legislative requirement. Dr. Gamble recommended approval of the student fees for 2000-2001 as modified with the statement provided by Mr. Little.

Mrs. Martinez moved approval of the student fees for 2000-2001 as modified. Mrs. Silvernail seconded the motion. All those voting in favor of the motion - Martinez, Silvernail, Penn Williams, Handley, Johnson; opposed - none. Motion unanimously approved.

b. Approval of College Budget, 2000-2001 & Master Grade/Salary Schedule - Mr. Little/Mr. Lawton (Addendum)

Mr. Little reported in last May 2000 the college administration presented the proposed budget at the budget workshop. The budget totals \$47,652,151 in expenditures which is an increase of 4.1%. Dr. Gamble recommended approval of the college budget, 2000-2001 and the Master Grade/Salary Schedule.

Dr. Penn Williams moved approval of the college budget, 2000-2001 and the Master Grade/Salary Schedule. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Penn Williams, Martinez, Silvernail, Handley, Johnson; opposed - none. Motion unanimously approved.

(1) Approval of Authorization to Pay Faculty Raise

Dr. Gamble requested in line with the approval of the 2000-2001 budget, the administration would like authorization to include the faculty raise at the beginning of the contract year in anticipation of ratification by the faculty union. The administration and board can show its support of the process by making this commitment, even though, the college does not have full ratification. The faculty organization has certain procedural requirements in the contract they feel obligated to exercise and those cannot be exercised until the return of the faculty in the fall. Dr. Gamble asked the union president, Glenn Forester, if there was any objection to the advance distribution. Mr. Forester reported this has been

discussed at the executive council of the union and they have approved payment of the faculty raises at the beginning of the contract year. Dr. Gamble recommended approval to authorize payment of the faculty raise at the beginning of the contract year.

Mrs. Silvernail moved approval of Dr. Gamble's recommendation to authorize payment of the faculty raise at the beginning of the contract year. Dr. Penn Williams seconded the motion. All those voting in favor of the motion - Silvernail, Penn Williams, Martinez, Handley, Johnson; opposed - none. Motion unanimously approved.

- c. Approval of Annual Fee Schedule - Mr. Little (Addendum)
Approved – consent agenda.
- d. Approval of College Memberships - Dr. Gamble (Addendum)
Approved – consent agenda.
- e. Approval of Write-Offs of Uncollectible Accounts - Mr. Cherry (Addendum)
Approved – consent agenda.
- f. Disposition of Surplus Property - Mr. Little (Addendum)
Approved – consent agenda.
- g. Monthly Budget Summary - Mr. Cherry (Addendum)

Mr. Cherry answered questions presented by the Board. The college will end the year close to budget and with a small surplus. Dr. Gamble reported it is the intent to build the college's fund balance to 6-8%. The goal is to handle the Florida Teaching and Research Laboratories receivable. Dr. Gamble recommended approval of the monthly budget summary for May 2000.

Mr. Handley moved approval of the monthly budget summary. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Handley, Martinez, Penn Williams, Martinez, Healy, Johnson; opposed - none. Motion unanimously approved.

h. Approval of Budget Amendment #3, 1999-2000 (Addendum)

Mr. Little reported the primary component of Budget Amendment #3, is increasing the revenue budget and the associated expenditures from activities of the Business and Industry Training Center. The total amount of \$26,593 is an increase in the budget from the prior amount for the Business and Industry Training Center. In addition, the amendment is a transfer from personnel to contracted services for the SCT services. Dr. Gamble recommended approval of Budget Amendment #3, 1999-2000.

Dr. Penn Williams moved approval of Budget Amendment #3, 1999-2000. Mr. Handley seconded the motion. All those voting in favor of the motion - Penn Williams, Martinez, Silvernail, Handley, Johnson; opposed - none. Motion unanimously approved.

i. Medical Report

Mr. Johnson read the statement provided by Dr. Gamble's physician which stated Dr. Gamble is in excellent health.

10. REPORT OF THE DISTRICT PRESIDENT:

a. Reorganization - District Board of Trustees

Mr. Johnson turned the gavel to Dr. Gamble to conduct the reorganization of the Board. Mr. Handley nominated Mr. Eugene Johnson as chairman of the Board of Trustees. Dr. Penn Williams nominated Mrs. Betts Silvernail as chairman of the Board of Trustees. Mrs. Silvernail declined the nomination due to personal family obligations.

There being no other nominations from the Board, Dr. Gamble recommended the Board by acclamation reappoint Mr. Eugene C. Johnson as chairman of the Board of Trustees. All those voting in favor of the motion - Handley, Silvernail, Penn Williams, Johnson, Martinez; opposed - none. Motion unanimously approved.

Mrs. Martinez nominated Mrs. Betts Silvernail as vice chairman of the Board of Trustees. Mrs. Silvernail declined the nomination. Mr. Johnson nominated Mrs. Miriam E. Martinez as vice chairman of the Board of Trustees.

There being no other nominations from the Board, Dr. Gamble recommended the Board by acclamation appoint Mrs. Miriam E. Martinez as vice chairman of the Board of Trustees. All those voting in favor of the motion - Handley, Silvernail, Penn Williams, Johnson, Martinez; opposed - none. Motion unanimously approved.

It was the consensus of the Board to retain the meeting date of the third Monday of the month at 4:00 p.m. rotating between the four campuses.

b. Cocoa Campus President/New Appointments

Dr. Gamble introduced and congratulated the new Cocoa Campus President, Dr. Brenda Fettrow. Dr. Gamble recognized Mr. Robert Lawton as the new Associate Vice President for Institutional Effectiveness and Planning and Ms. Joni Oglesby as the new Associate Vice President for Human Resources.

c. College Committees - Board of Trustees

Dr. Gamble reported the DSO Task Group will be added to the list of college committees the board serves on. It was the consensus of the Board that the following board members be approved to serve on the committees as noted beginning July 1, 2000.

Insurance Committee

Mrs. Betts O. Silvernail

Architect Selection Committee

Mr. James W. Handley

BCC Foundation, Inc.

Mr. James W. Handley

Cocoa Village Playhouse, Inc.

Dr. Alexandra Penn Williams

King Center for the Performing Arts, Inc.

Mrs. Miriam E. Martinez

Florida Teaching and Research Laboratories, Inc.

Mr. Eugene C. Johnson

Florida Education and Research Foundation, Inc.

Mrs. Betts O. Silvermail

DSO Task Group

Dr. Alexandra Penn Williams

d. Board of Trustees Workshops/Activities

Dr. Gamble reviewed the information provided to the Board of Trustees of prospective dates for upcoming workshops, as well as activities scheduled for July 1, 2000 - June 30, 2001.

July 17 a workshop relating to legal services for the college will be held prior to the Board meeting. The Board will be asked to make a decision regarding legal services for the college.

Dr. Gamble stated a workshop should be scheduled in July or August to develop goals and directions for the coming year.

Dr. Gamble reported the college has decided to go to a split commencement due to the more than capacity number of people wanting to attend the ceremony. August 5th will be a pilot graduation, with one ceremony at 3:00 p.m. and the other at 7:00 p.m. in the King Center for the Performing Arts.

Dr. Gamble felt the legislative dinner should be held earlier than February 2001 and suggested scheduling it in late fall of 2000. Mr. Handley suggested having a luncheon as opposed to a dinner as suggested by a legislative representative. He discussed having a candidates' forum at WBCC-TV. Dr. Gamble reported he would like to have the students organize a panel presentation after the primary is held.

Dr. Gamble reported a conference call will be held June 28 from 10:00 a.m. until 11:00 a.m. by the Division of Community Colleges on the latest legislative session outcomes. Dr. Gamble invited Board member participation.

e. Cocoa Village Playhouse Season Announcement Party

Dr. Gamble invited the Board to attend the Historical Cocoa Village Playhouse 11th Season Announcement Party on July 15 at 6:30 p.m. at the Cocoa Civic Center in Cocoa Village.

11. ADJOURNMENT:

There being no further business to come before the Board, the workshop meeting adjourned at 6:55 p.m.

APPROVED: _____

Chair, District Board of Trustees

ATTESTED: _____

Secretary, District Board of Trustees