

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

August 21, 2006
4:45 p.m.

Library Building (Bldg. #2)
Room #163
Palm Bay Campus

PRESENT: Mrs. Alberta K. Wilson, Chairman; Mr. C. R. "Rick" McCotter III, Vice Chairman;
Mr. James W. Handley; Mr. James Theriac; Mrs. Kimberly Tsamoutales;
Mr. Joe Matheny, Attorney; Dr. Thomas E. Gamble, Secretary

1. CALL TO ORDER:

Mrs. Alberta K. Wilson, Chairman, called the meeting to order.

a. Pledge of Allegiance

Mrs. Wilson opened the meeting with the recitation of the "Pledge of Allegiance."

b. Additions/Corrections to Agenda

None.

2. CONSENT AGENDA:

Mrs. Wilson recommended approval of the consent agenda items:

- 3.a. Minutes – Board of Trustees Workshop Meeting – June 12, 2006
- 3.b. Minutes – Board of Trustees Meeting – June 12, 2006
- 9.a. Approval of Monthly Budget Status Report, July 2006
- 9.b. Approval of Final Budget Amendment - 2005-06 Operating Fund

Mr. McCotter moved approval of the consent agenda items. Mr. Theriac seconded the motion. All those voting in favor of the motion – McCotter, Theriac, Handley, Tsamoutales and Wilson; opposed – none. Motion unanimously approved.

3. APPROVAL OF OFFICIAL MINUTES OF PREVIOUS MEETINGS:

- a. Minutes – Board of Trustees Workshop Meeting – June 12, 2006

Approved – consent agenda.

- b. Minutes – Board of Trustees Meeting – June 12, 2006

Approved – consent agenda.

4. COMMUNICATIONS:

- a. Report on Faculty Ratification of the UFF/BCC Agreement

Ms. Robin Boggs, President, United Faculty of Florida, Brevard Chapter (UFF/BCC), reported on the results of the faculty voting on the tentative contract agreement. She reported the faculty members of the UFF/BCC negotiations team, the Executive Council and campus contacts led ratification meetings on all five campuses, followed by a vote of the faculty members who were present. Out of the 207 faculty members eligible to vote, 177 (85%) participated in the vote; 163 (92%) voted to accept the tentative agreement, and 14 (7.9%) voted to reject the agreement.

5. CITIZEN'S PRESENTATION:

None.

6. CONSTRUCTION AND DEVELOPMENT:

- a. Approval of the Construction Manager Selection for the Cocoa Village Playhouse Annex (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reported the Cocoa Village Playhouse (CVP) Board recommended the selection of a Construction Manager for the new Annex project as it is critical that a detailed estimate be obtained for more accurate projections of future fund raising requirements, and believes the estimate should best come from the firm who will ultimately complete the work. The current fundraising balance is approximately \$759,000 short of the \$2.2 million projected costs for the project. As a result, it is recommended the project proceed on a phasing-basis, with the shell of the building completed initially, followed by the additional phases as money is available. A Request for Information was issued by the college for which there was only one response from A.D. Morgan Construction Services. Mr. Little reported that A.D. Morgan is well known to the college as they have handled numerous projects successfully in the past.

Mr. Little reported that no construction will begin until the Board approves a Guaranteed Maximum Price estimate for the project, and funding is available.

Dr. Gamble recommended approval of the Construction Manager Selection for the Cocoa Village Playhouse Annex.

Mr. Handley moved approval of the approval of the Construction Manager Selection for the Cocoa Village Playhouse Annex. Mr. McCotter seconded the motion.

Mr. McCotter reported he serves on the Cocoa Village Playhouse Board and feels positive about the project and the ability to raise sufficient funds to support it.

Mr. Little confirmed that A.D. Morgan has successfully completed projects on time and within budget in the past.

All those voting in favor of the motion – Handley, McCotter, Theriac, Tsamoutales and Wilson;
opposed – none. Motion unanimously approved.

b. Approval of Engineer Selection for the HVAC Upgrade (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reported this year's Capital plan includes Phase III of numerous HVAC upgrades. An engineer is required to draw up plans and specifications for the implementation of the systems. A selection process was implemented with four respondents. The Committee ranked the respondents based on past experience, personnel, licensing, etc. Mr. Little requested approval of the Board to select the top-ranked firm, Cape Design Engineering, with the understanding that other finalists will be contacted in ranked order until a successful contract is negotiated. Dr. Gamble recommended approval of Engineer Selection for the HVAC Upgrade.

Mr. Theriac moved approval of Engineer Selection for the HVAC Upgrade. Mr. Handley seconded the motion. All those voting in favor of the motion – Theriac, Handley, McCotter, Tsamoutales and Wilson;
opposed – none. Motion unanimously approved.

c. Approval of the 2006-07 Capital Improvement Plan (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reported on the process for the Capital Improvement Plan (CIP) report to the State of Florida.

Mr. Little indicated the report includes three different priority lists for renovations, remodeling and new construction noting that BCC has small relative need for

increased space compared to other schools. Mr. Little further reported that renovation requests marked with "Gen" allow the college the flexibility of funding critical needs rather than specific buildings noted in the report.

Mr. Little indicated that the college will not receive all the funds requested in the CIP report, nor does it represent all the needs of the college. Dr. Gamble recommended approval of the 2006-07 Capital Improvement Plan.

Mr. Theriac moved approval of the 2006-07 Capital Improvement Plan. Mr. Handley seconded the motion.

Mr. Handley asked if funding could be provided for items not included in the report, such as a new planetarium dome. Mr. Little reported it would likely qualify as a renovation and funded if deemed a priority. Mr. Little reported he will note the project for review at the Spring 2007-08 strategic planning session.

All those voting in favor of the motion –Theriac, Handley, McCotter, Tsamoutales and Wilson; opposed – none. Motion unanimously approved.

7. OLD BUSINESS:

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

Mr. Joe Matheny, Attorney, reported on the land deals outlined in his report. He requested the Board's input on whether they would be interested in entertaining a back-up contract to the 16-acre parcel currently under contract to the Palm Bay Academy (PBA), at a substantially higher rate than the \$1.1 million PBA contract offer. It was the consensus of the Board that the offer could be explored but without commitment.

Mr. Matheny further requested the Board's input regarding the 4.83 acres at Palm Bay on the south side of Treeland Boulevard. It was the consensus of the Board that this issue and other land-use options be further reviewed by a committee consisting of Mr. McCotter, Florida Architects, Mr. Moon, Dr. Purga, Mr. Little and Mr. Matheny prior to making decisions. Mr. Matheny agreed to coordinate the scheduling of this committee meeting.

(1) Approval of Attorneys' Contracts for Mr. Matheny and Mr. Hogg (Addendum)

Mr. Matheny reported that the current contract for the college's General Counsel legal services expired on June 30, 2006. Mr. Matheny has requested continuance of his contract through June 30, 2007, under the same financial agreement in the past, with no increase in fees. In addition, he

proposes continuance of the contract of Mr. Jesse Hogg for matters pertaining to labor issues. Dr. Gamble recommended approval of Attorneys' Contracts for Mr. Matheny and Mr. Hogg.

Mr. Theriac moved approval of Attorney Contract for Mr. Matheny. Mr. McCotter seconded the motion.

Dr. Gamble reported it is not required to submit a Request for Proposal (RFP) for attorney services, although it can be done if desired. Mr. Matheny indicated he would like to continue to serve as General Counsel to advise in the Presidential Search and orientation of the new President. He would then recommend that the Board select a new attorney for the following fiscal year, with whom he could work for a year prior to his retirement. This would allow him to provide a historical perspective to his replacement, thus providing valuable continuity to the college. It was the consensus of the Board to renew Mr. Matheny's contract for a one-year period.

All those voting in favor of the motion –Theriac, McCotter, Handley, Tsamoutales and Wilson; opposed – none. Motion unanimously approved.

Mr. Theriac moved approval of Attorney Contract for Mr. Hogg. Mr. McCotter seconded the motion. All those voting in favor of the motion –Theriac, McCotter, Handley, Tsamoutales and Wilson; opposed – none. Motion unanimously approved.

(2) Presidential Search Process (Addendum)

Mr. Matheny suggested the Presidential search process should now progress by: (1) selection of a professional search consultant to help in the advertisement and gathering of candidates; and, (2) establishment of a procedure and development of a local search committee.

Mr. Matheny reported that two professional search agencies have indicated interest in serving the college in this capacity; namely, Dr. Jeff Hockaday with Hockaday-Hunter & Associates, and the Association of Community College Trustees (ACCT). The proposals for both agencies were provided to the Trustees for review and discussion. Discussion ensued with Board consensus that a video/teleconference for the Board to interview each agency be scheduled within two weeks. Mrs. Martin will coordinate the scheduling of the video/teleconference. Mrs. Wilson agreed to check the references of both agencies, with results to be emailed to the Board by Mrs. Martin prior to the video/teleconference. Mrs. Martin will also email specific questions suggested by Trustees for use during the video/teleconference. It was the

further consensus that a Special Meeting be held the day of the video/teleconference to enable the Board to vote on their selection of agency.

The Board concurred that the search process outlined in Mr. Matheny's report be utilized for the search and that the Board Chair would oversee the process and interface with the Search Committee chair. Discussion ensued regarding Trustee participation in the Search Committee. The Board concluded that decisions regarding Board participation in the search committee, search budget and recommended timelines be delayed pending input from the selected search consultant. Action on these items may take place at the Special Meeting following the video/teleconference.

8. NEW BUSINESS:

a. Personnel Actions (Addendum)

The Personnel Actions were presented to the Board for information only; with no action required.

b. Approval of President's Contract

The terms and conditions of the President's Contract renewal were discussed by the Trustees at the Board Workshop.

Mr. Theriac moved approval of President's Contract, expiring June 2007, with the basic compensation package for 2006-07 to include an annual increase in an amount equal to 4% retroactive to July 1, 2006, with other terms and conditions of the existing contract to remain the same. Mr. Handley seconded the motion. All those voting in favor of the motion – Theriac, Handley, McCotter, Tsamoutales and Wilson; opposed – none. Motion unanimously approved.

c. Approval of Ratification of Agreement with UFF/BCC (Addendum)

Dr. Brenda Fettrow, Vice President, Student Services, reported contract negotiations were successful, resulting in a multi-year agreement. Copies were provided for the Board, with a side-by-side comparison between the past agreement and the recent agreement.

Mr. Theriac moved approval of Ratification of Agreement with UFF/BCC. Mrs. Wilson seconded the motion. All those voting in favor of the motion

Theriac, Wilson, Handley, McCotter, and Tsamoutales;
opposed – none. Motion unanimously approved.

d. Request for Future Board Meeting/Workshop Agenda Items

None.

9. FINANCIAL ACTIONS:

a. Approval of Monthly Budget Status Report, July 2006 (Addendum)

Approved – consent agenda.

b. Approval of Final Budget Amendment (Addendum)

Approved - consent agenda.

10. REPORT OF THE PRESIDENT:

a. Financial Aid Report Follow-up

Dr. Gamble reported that answers to questions regarding financial aid raised at the June 2006 Board meeting were provided in the Board package.

b. Report from Florida Department of Education (FLDOE) regarding Equity Act Report

Dr. Gamble reported the FLDOE review of BCC's annual Equity Act Report was provided to the Board. The review was favorable with the exception of a few specific recommendations, which will be pursued.

c. Minority Access, Inc. Recognition

Dr. Gamble reported the college was designated as one of the nation's leading colleges and universities committed to diversity by Minority Access Inc. and Office of Minority Affairs and National Institute of Health. Trustee Wilson; Dr. Joe Lee Smith, College Ambassador; and, Ms. Teri Jones, Director of Office of Diversity & Equity, will represent the college at the awards ceremony in September.

d. 2006 Prudential Financial Davis Productivity Award

The college's Educator Preparation Institute (EPI), along with other EPI community colleges, has been awarded the 2006 Prudential Financial Davis Productivity Award. BCC began the EPI program in 2005 and has since graduated 484 substitute training

graduates, as well as 100 graduates in the Alternative Certification Program. Graduation of 50 more students is projected by May 2007.

e. BCC Golf Team Award

The BCC Golf team has been selected as the Florida Community College Activities Association (FCCAA) Male Academic Team of the Year and finished in third place nationally. This is the first time BCC has received this prestigious award, which recognizes the golf team members for having GPAs of 3.0 or higher for two semesters and a 100% graduation rate for seniors.

f. Reorganization of the Board

Dr. Gamble reported that the annual reorganization of the Board, to determine the new officers for 2006-2007 should be accomplished at this meeting. Accordingly, Dr. Gamble assumed the gavel from Mrs. Wilson and opened the floor for nominations from the Board for Chairman.

Mr. Theriac nominated Mr. Handley.
Mrs. Wilson seconded the motion.

Dr. Gamble called for additional nominations for Chairman.

Mr. Handley nominated Mrs. Wilson.
Mrs. Wilson declined the nomination.

Mr. Handley was appointed as Chairman with unanimous approval. All those voting in favor of the appointment - Theriac, Wilson, Handley, McCotter, and Tsamoutales; opposed - none.
Motion unanimously approved.

Dr. Gamble called for nominations for the Vice Chairman position.

Mr. Theriac nominated Mr. McCotter.
Mrs. Wilson seconded the motion.

Mr. McCotter nominated Mr. Theriac.
Mrs. Wilson seconded the motion.

Mr. McCotter was appointed as Vice Chairman with a 3-2 vote. (Handley, Theriac, Tsamoutales)

Dr. Gamble offered congratulations to Mr. Handley and Mr. McCotter.

g. Board of Trustees' Committee Assignments

Dr. Gamble reported committee assignments should be assigned for the coming year. He further reported that the Vice President for Finance and Administrative Services has raised the question whether an assignment to the Insurance Committee and Architect Committee continues to be necessary due to the infrequent need to meet. It was the Trustee's consensus to accept Committee assignments, as follows:

Alumni Association - Mrs. Wilson
Architect Selection - Mr. Handley (as needed)
BCC Foundation - Mr. Theriac
Cocoa Village Playhouse - Mr. McCotter
Insurance Committee - no representation required
King Center for the Performing Arts - Mrs. Tsamoutales
Planetarium - Mr. Handley

11. COMMITTEE REPORTS

a. Architect Selection - Open

No report.

b. Alumni Association – Mrs. Wilson

No report

c. BCC Foundation – Mr. Theriac

Mr. Theriac reported that the new Executive Director, Mr. Richard Beagley, is now on-board and doing a great job.

d. Cocoa Village Playhouse – Mr. McCotter

No report.

e. King Center for the Performing Arts (King Center) – Mr. Handley

Mr. Handley reported he is pleased to report that the King Center ended this season with a \$183,000 profit. He further reported that more events are being investigated for booking at the suggestion of a BCC student saying there were no Brevard County venues which cater to the young adult audience.

f. Planetarium – Mr. Handley

No report.

g. Special Recognition

Dr. Purga recognized the hard work of Mr. Glenn Burgess, Facilities Planner and the Palm Bay staff for the completion of the renovation of the Auditorium, Building 1. The Board congratulated them on the improvements.

12. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 6:10 p.m.

APPROVED: James W. Handley

Chair, District Board of Trustees

ATTESTED: Thomas E. Laulide

Secretary, District Board of Trustees