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BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING

April 21, 2008
9:05 a.m.

Board Room (#231)
Carver Administration Building (#2)
Cocoa Campus

PRESENT: Mr. James Theriac, Chair; Mrs. Alberta Wilson, Vice-Chair; Mr. C. R. "Rick" McCotter III; Mrs. Dixie Sansom (via telephone); Dr. James A. Drake, Secretary; Mr. Philip Nohrr, Attorney

I. CALL TO ORDER:

Mr. James Theriac, Chair, called the meeting to order at 9:05 a.m.

A. Pledge of Allegiance

Mr. Theriac opened the meeting with the recitation of the Pledge of Allegiance.

B. Additions/Corrections to Agenda

Mr. McCotter requested that Item I, Approval of BID 07-08-19, Construction Services, be removed from the Consent Agenda.

II. APPROVAL OF OFFICIAL MINUTES OF PREVIOUS MEETING:

A. Minutes – Board of Trustees Meeting – February 18, 2008 (Addendum)

Mrs. Wilson moved approval of the minutes of the Board of Trustees meeting held February 18, 2008. Mr. McCotter seconded the motion. All those voting in favor of the motion: McCotter, Sansom, Theriac, Wilson; opposed: none. Motion unanimously approved.

III. PRESENTATIONS:

A. BCC Moore Multicultural Center Update

Dr. Joe Lee Smith provided an overview and history of the Moore Multicultural Center, which started in 1996 with the vision of Dr. Maxwell King, Distinguished President Emeritus of Brevard Community College. Dr. Smith introduced Ms. Teri Jones, the current Director of the Moore Multicultural Center.

Ms. Jones introduced the staff of the Moore Multicultural Center, and distributed an information packet to trustees. An overview of the Center was presented, which included the Center's mission statement; past and current events sponsored by the Center; community partnerships, leadership and participation; the Center's structure, programs and functions; recruitment and retention initiatives; and future plans to involve faculty and students in diversity initiatives.

Mrs. Wilson commended Ms. Jones and the staff of the Moore Multicultural Center for the many services that are provided by the Center, and expressed that she is pleased that there are plans to expand the Center's activities. Mrs. Wilson also expressed disappointment that the Moore gallery has been moved from the Center. Mr. Theriac commended Ms. Jones on the effectiveness of the presentation. Ms. Jones responded that it was a team effort.

Mr. McCotter inquired if the Moore Center has had the opportunity to become involved with any civic organizations in north Brevard County, such as Rotary and Kiwanis, and further requested that someone from the Moore Center speak to the North Brevard Rotary Club about the history of the Moore family and the activities sponsored by the BCC Moore Multicultural Center. Mr. McCotter will contact the Moore Center to make arrangements for a speaker.

Mrs. Wilson commented that the College Reach Out Program (CROP) is a very worthwhile program that is needed in the community, and inquired if this program will grow. Dr. Smith responded that the College is very committed to supporting this program and taking it to the next level. Ms. Jones confirmed that CROP has grown significantly this year, and the College has expanded program locations throughout the county.

Dr. Drake complimented Dr. Joe Lee Smith for his oversight as Executive Director of the Moore Multicultural Center. The College has been able to accord additional resources to address the needs of the community, including CROP. Dr. Drake added that Dr. Joe Lee Smith is the founder of CROP.

Mrs. Wilson applauded the efforts of Mr. Don Williams with the Minority Summer Youth Golf Program, and the memory of Henry Scott and P. J. Wilson. Mrs. Wilson requested that whenever this program is referred to by the College, it should include the names of all three of these important leaders.

IV. CONSENT AGENDA:

A. Resignation of Trustee James H. Richey

Under Consent Agenda, Item A, the Board of Trustees accepted the resignation of trustee James H. Richey, Esq. Dr. Drake reported that Mr. Pablo Diaz, of the Governor's staff, confirmed the Governor's receipt of Mr. Richey's letter of resignation.

B. Recruitment and Responsibilities of Internal Counsel

Under Consent Agenda, Item B, Dr. Drake discussed the respective responsibilities of Internal Counsel (Mr. Richey) and College Counsel (Mr. Nohrr and Gray-Robinson), after which Mr. Theriac clarified that Mr. Nohrr serves as the attorney of record for the Board of Trustees exclusively, rather than for the College's Direct Support Organizations or the President or the district administration.

C. Policies and Procedures for Budget Amendments

Under Consent Agenda, Item C, the Board of Trustees approved the implementation of Florida Department of Education Rule 6A-14.0716(3), (a), (b), and thereby directs that henceforth all budget amendments shall be approved by the President of the College pursuant to the authority contained in the rule.

D. Confirmation of DSO Governing-Board Appointees for 08-09

Under Consent Agenda, Item D, the Board of Trustees confirmed that the legal authority to confirm all appointees to the governing boards of the College's Direct Support Organizations belongs solely to the BCC Board of Trustees.

E. Approval of Repayment Plan, Historic Cocoa Village Playhouse Annex (Addendum)

Under Consent Agenda, Item E, the Board of Trustees approved the repayment plan presented to the Board of Trustees at the February 18, 2008, meeting by the leadership of the Historic Cocoa Village Playhouse Board of Directors (reference attachment).

F. ***1776*** Production Collaboration between the Historical Cocoa Village Playhouse and the Maxwell C. King Center for the Performing Arts

Under Consent Agenda, Item F, Florida statutes require the approval of the Board of Trustees for collaborative projects or initiatives between Direct Support Organizations of Florida community colleges. Therefore, the Board of Trustees approved the collaboration of the ***1776*** *production between the Historic Cocoa Village Playhouse and the Maxwell C. King Center for the Performing Arts.*

G. Report on Personnel Actions (Addendum)

Under Consent Agenda, Item G, the Board of Trustees confirmed its receipt and acceptance of the Personnel Actions Report for the months of March and April 2008, as circulated prior to the meeting (reference attachment).

H. Approval of March Monthly Summary of Income and Expenditures (Addendum)

Under Consent Agenda, Item H, the Board of Trustees approved the Monthly Summary of Income and Expenditures for March 2008 (reference attachment).

I. Approval of BID 07-08-19, Construction Services

This item was removed from the agenda by motion from Mr. McCotter, seconded by Mrs. Wilson, and approved unanimously. In the ensuing discussion, Mr. McCotter inquired whether there is a requirement for the Board to approve BID 07-08-19 for Construction Services. Ms. Knotts explained that the College has selected six companies for construction services and has pre-qualified them. Since individual bids for the work will exceed $250,000.00, the Board is asked to approve the pre-qualification of these companies. Ms. Knotts added that individual contracts will be awarded separately. Board members agreed Board approval is not needed for the pre-qualification of these companies. Dr. Drake additionally clarified, and Mr. Nohrr confirmed, that there is no statutory requirement for Board approval.

J. Approval of Direct Support Organizations Quarterly Reports (Addendum)

Under Consent Agenda, Item J, the Board of Trustees approved the Direct Support Organizations' Quarterly Reports (reference attachment).

Mr. McCotter moved approval of Consent Agenda items A through J, and excluding Item I. Mrs. Wilson seconded the motion. All those voting in favor of the motion: McCotter, Sansom, Theriac, Wilson; opposed: none. Motion unanimously approved.

V. PUBLIC COMMENTS:

There were no public comments.

VI. CONSTRUCTION AND DEVELOPMENT:

None.

VII. OLD BUSINESS:

A. Report on Pending Legal Actions (Addendum)

Mr. Nohrr reported that there are no significant changes to pending legal actions.

Dr. Drake discussed Consent Agenda Items A and B, and noted that Mr. Richey has tendered his resignation from the Board of Trustees, as was recently conveyed to trustees and covered in the press. Mr. Richey's resignation was accepted by the Governor's office, and the Governor will assign another trustee as soon as possible.

Dr. Drake provided additional clarification on the division of responsibility between College Counsel, Gray-Robinson and Mr. Nohrr, and Internal Counsel, Mr. Richey. Dr. Drake stated that Mr. Ross will continue to receive all requests for legal services. Mr. Richey will be responsible for the day-to-day routine and recurring legal issues, including human resources, grants, contracts and Director Support Organization assistance, while Gray-Robinson will address the larger specialized issues. Dr. Drake added that the College's Internal Counsel will provide a great deal of help in addressing the regulatory aspects of contracts and agreements, and added that Internal Counsel will provide a cost savings to the College.

Mr. Theriac further clarified that Gray-Robinson (Mr. Nohrr) is the attorney for the Board of Trustees, while Internal Counsel is separate and handles the day-to-day legal issues for the College. Mr. Theriac added that this is a new component to the College, and issues may arise that require clarification.

In response to a question from Mrs. Wilson, Mr. Richey discussed that Internal Counsel is the attorney for the College. The Policy Governance Manual indicates that the Board has its own attorney, i.e. Gray-Robinson (Mr. Nohrr).

Mr. McCotter inquired who will make the determination if expert counsel is required in a certain situation. Dr. Drake responded that all legal issues are channeled to Mr. Ross. Dr. Drake will confer with both Mr. Richey and Mr. Nohrr if there is a question of referring an issue to Gray-Robinson. Dr. Drake discussed that, in general, matters of policy for the Board will be referred to Mr. Nohrr, Gray-Robinson, while matters of management, procedures, and regular recurring transactions will be referred to Internal Counsel. Mr. McCotter cited an example of a significant Human Resource issue that the College may consider hiring outside counsel for, and inquired who would manage this for the College. Dr. Drake responded that since this is a Human Resource issue, within the purview of

management, it would be handled internally, unless some facet would require outside expertise, such as a policy violation. In this case, Dr. Drake would confer with the Chair of the Board for an opinion.

Mr. Theriac expressed that open communication with the Board will continue to be a priority. Dr. Drake added that UFF/BCC annual negotiations will still be referred to Mr. Nohrr since this binds the Board and the administration, and it is beneficial to the College to maintain this continuity.

B. Report on State and Regional Presidential Compensation

Mr. Ross distributed a report on the salaries of Community College Presidents in East Central Florida. Mr. Theriac stated that no action is required at this time.

VIII. NEW BUSINESS:

A. Inclusion of Technology Fees in Base Tuition

Mrs. Sansom discussed that she learned at a recent meeting in Tallahassee that if the College's technology fee is rolled into the base tuition rate, it is covered by the financial aid that a student receives. However, if it is listed separately, the technology fee has to be paid by the student, and is not covered by any financial aid, grants or scholarships. Mrs. Sansom strongly recommended that this fee be included in the base tuition rate at BCC, to make it easier on the student. Ms. Sansom added that there are only five community colleges in Florida, including BCC, that have the technology fee listed separately.

Dr. Drake recommended that Mr. Cherry and Dr. Astrab investigate this, and provide feedback and information at the next Board of Trustees meeting.

B. Request for Future Board Meeting Presentations or Agenda Items

Mrs. Wilson requested a meeting regarding the escalating cost of textbooks and the possibility of downloading material from the computer, rather than purchasing textbooks. Dr. Drake stated that the College is currently working on an internal proposal to enable qualified students to receive some form of reimbursement for textbooks. The logistics for providing this assistance will be significant, but worthwhile. Dr. Drake added that the College is currently negotiating its contract with Barnes and Noble, and will have to consider legal obligations. It is expected that the cost of tuition will continue to increase along with the cost of textbooks. The College will continue to consider ways to subsidize this cost, and will also continue to rely on the instructor to determine the material to be used for each course. Technology may provide resources at a reduced cost. Dr. Drake stated that a proposal will be submitted to the Board for discussion at the next Board meeting.

IX. FINANCIAL ACTIONS

None.

X. PRESIDENT'S REPORT

A. Budget and Planning Options, 2008-09

Dr. Drake reported on the current projection for the 2008-09 budget, based on state revenue. The College has endured a 4% mandatory budget reduction this year, and is now budgeting for an additional 6% reduction for the coming fiscal year. There is a need to hire seven full-time faculty members to meet the demands of the current enrollment, while enrollment is expected to increase based on the current economic cycle. The College must also consider financing opportunities in workforce development to facilitate training for the displacement of approximately 8400 workers from the Space Center. The College is currently working on an initiative entitled 10/10 NOW – 10 new opportunities for workers to retrain in10 high yield fields, and accomplish this by 2010. This initiative includes workforce re-training and re-development within the aerospace industry. BCC will work with its partners, the Brevard County School District, the University of Central Florida and Florida Tech to assist in workforce retraining.

Dr. Drake discussed that the College will have to make cuts in order to continue to support the needs of the students and the community. These cuts will occur in upper middle management and administrative positions. Dr. Drake stated that the College will not eliminate any academic programs or faculty under the current circumstances, and stressed the importance of full-time faculty and their contribution to student retention. The College will also continue its recruitment and retention efforts for academic advisors and faculty to support the needs of the county. Public awareness of the campuses, the recognition of highly successful students, and personalizing the college experience through televising the College commencement ceremonies have contributed to the increased enrollment and retention at BCC. The savings in administrative reductions last year has additionally enabled the College to reinvest in new initiatives for student recruitment and retention.

Dr. Drake additionally discussed the state's proposal of creating a State College System. One version of legislation mandates a system of two and four-year colleges, and the word "community" is not linked to the college, unless it is the preference of the College's Board. BCC has some concerns regarding a State College System.

In response to a request from Mrs. Wilson, Dr. Drake stated that the College will be as generous as possible with regard to severance pay, advance notice and assistance from the College and its resources.

B. BCC Foundation Search Update

Dr. Drake reported that the search for the Executive Director for the Foundation is down to three finalists, who will be interviewed on video this week.

XI. ADJOURNMENT

There being no further business to be brought before the Board, the meeting adjourned at 10:15 a.m.

APPROVED: _____
Chair, District Board of Trustees

ATTESTED: _____
Secretary, District Board of Trustees

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