

**BREVARD COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
MEETING**

February 15, 1999  
3:00 P.M.

Performing Arts Center, #168  
Melbourne Campus

**PRESENT:** Peter J. Morton, Chairman; Eugene C. Johnson, Vice-Chairman; Patrick F. Healy, Joe D. Matheny, Attorney; Thomas E. Gamble, Secretary

**ABSENT:** Robin L. Fisher, Malcolm R. Kirschenbaum

**1. CALL TO ORDER:**

Mr. Morton, Chairman, called the meeting to order. He reported Mr. Fisher and Mr. Kirschenbaum will not be present for the Board of Trustees meeting and have given prior notice of their absence.

**2. APPROVAL OF THE OFFICIAL MINUTES OF PREVIOUS MEETINGS:**

- a. Minutes - Board of Trustees Workshop Meeting - January 25, 1999/Minutes - Board of Trustees Meeting - January 25, 1999

Mr. Johnson moved approval of the minutes of the January 25, 1999 Board of Trustees Workshop meeting and the minutes of the January 25, 1999 regular Board of Trustees meeting.

Mr. Healy seconded the motion. All those voting in favor of the motion - Morton, Johnson, Healy; opposed - none.  
Motion unanimously approved.

**3. COMMUNICATIONS:**

- a. Recognition of Mr. Watson and Mr. Sinclair

Dr. Gamble and the Board of Trustees recognized and commended Mr. Don Watson and Mr. Calvin Sinclair, Maintenance Department, for their efforts in the College being nominated for a beautification award by the Melbourne Beautification Committee.

- b. Report on Business Expo - Titusville Campus - Dr. Koller

Dr. Gamble introduced Dr. Al Koller, Titusville Campus President, who reported on the Business Expo held at the Titusville Campus. He reported the successful Business Expo was held Thursday, February 4, 1999 and was cosponsored by the

Titusville Chamber of Commerce. Dr. Koller provided a brief review of activities and reported there were more than eighty vendors participating in the Expo. Dr. Koller reported the Titusville Campus took the opportunity to combine their Career Fest with the Business Expo and approximately 100 high school seniors were bussed in from Titusville and Astronaut High Schools for the activity. This was the second largest fund raiser for the Titusville Chamber of Commerce for the year with approximately 1,500 participants attending the event. Dr. Gamble reported he attended the Business Expo which had good representation from the entire community.

4. **CITIZEN-S PRESENTATION:**

None

5. **CONSTRUCTION & DEVELOPMENT:**

a. **Groundbreaking - Palm Bay Campus Expansion** (Addendum)

Dr. Gamble reminded the Board members that the College is about to break ground on Building #2 (Library/Science Building), at the Palm Bay Campus. The groundbreaking has been scheduled for February 25 at 10:00 a.m.

b. **Systems Integrator Contract - WBCC-TV Project** (Addendum)

Dr. Gamble requested Mr. Al Little, Vice President of Business and Finance, report on the systems integrator contract for WBCC-TV project. Mr. Little reported at the December 1998 meeting the Board of Trustees approved the Harris Corporation as the systems integrator for the TV studio project. The systems integrator services contract is for \$1,882,444 and includes an equipment budget of \$1.5 million. Mr. Little has asked for verification from the Auditors that the equipment can be purchased through the systems integrator. Since confirmation has not been received at this time, Mr. Little reported, the contract is being presented to the Board with a footnote that if the auditors have a problem with Harris purchasing the equipment, the \$1.5 million in equipment will be deleted from the contract and the equipment will be purchased through the normal College process. Mr. Healy inquired about the sales tax expense by purchasing equipment in this manner. Mr. Little reported on the benefits of purchasing the equipment through the systems integrator, however, he will further investigate the sales tax situation. Dr. Gamble reported Harris Corporation is the recognized national leader in the digital equipment area and has the expertise required to

make the digital TV station a success. Mr. Little recommended approval of the systems integrator contract with Harris Corporation pending the clarification of the equipment line item from the Auditors.

Mr. Johnson moved approval to accept the systems integrator contract with Harris Corporation pending clarification of the equipment line item purchase from the Auditor. Mr. Healy seconded the motion. All those voting in favor of the motion - Johnson, Healy, Morton; opposed - none. Motion unanimously approved.

c. Contract - BRPH Architect-Engineers, Inc. - Performing Arts Center Expansion Project - Melbourne Campus (Addendum)

Dr. Gamble asked Mr. Walt Gilfilen, Associate Vice President, Development Office, to report on the Performing Arts Center expansion project. Mr. Gilfilen reported the Executive Committee of the King Center Board met on February 10 and recommended contracting with Briel, Rhame, Poynter and Houser (BRPH) for the expansion project of the Performing Arts Center. Mr. Gilfilen reported the Board of Trustees identified BRPH Architect-Engineers, Inc. sometime ago for the initial expansion project at the King Center.

The proposed contract would mean a more up-to-date focus on two parts of the project. One part is the continuation of the planned expansion of the women=s restroom and lobby area which has been an area of substantial congestion during intermissions of performances at the Center. The second part is the expansion of the ticket booth area from the present location.

Mr. Gilfilen reviewed preliminary plans of the proposed expansion and reported the proposal from BRPH would include a lump sum to perform the architectural and engineering work for the women=s restroom and the ticket booth expansion. Mr. Gilfilen reported some of the members of the Performing Arts Center subcommittee have looked at the possibility of coming up with a project management construction contract, should this be the decision of the trustees, which would allow the College to buy or seek donations to help defray the construction costs. It is anticipated that construction could be completed during the summer of 1999.

Mr. Gilfilen reported there are enough funds to complete the expansion of the women's restroom and the College will work on raising additional funds for the ticket booth expansion. Dr. Gamble reported he and Mr. Gilfilen plan to continue community contacts of those who have pledged interest in improving the King Center. He felt that sufficient funds can be raised to proceed with the improvements this summer. Dr. Gamble recommended approval of the contract with BRPH.

Mr. Healy moved approval of the College contract with BRPH. Mr. Johnson seconded the motion. All those voting in favor of the motion - Healy, Johnson, Morton; opposed - none. Motion unanimously approved.

**6. OLD BUSINESS:**

a. Report on Pending Legal Actions

Mr. Matheny updated the Board of Trustees on the title situation with the Palm Bay property under contract to be purchased by St. Johns River Water Management District. This morning St. Johns River Water Management District notified Mr. Matheny they have changed title companies to a company that will write the title insurance. The College is now down to two objections. One objection is an \$87,000 tap-on fee charged by the City of Palm Bay. The College takes the position that this is not a title impediment, but a cost to the developer not the College. The other situation is there are some outstanding mortgages revealed in the title commitment. Those mortgages were paid when the bond issue was made, therefore, the Atlantic Gulf attorney has assured Mr. Matheny they will work those out. In summary, the closing should be soon. The College had agreed to give the St. Johns River Water Management District a 25' drainage easement which they have relocated to the north end of the 11.4 acre parcel. In doing that, they have relocated it over a piece of land to which the title objection could not be removed and they take the position that will not impeded the closing.

Mr. Healy asked about the stormwater suit with the City of Cocoa and the suit on the west coast of Florida which was settled and resolved the College's situation. Mr. Matheny reported the St. Petersburg Junior College suit resulted in a ruling identical to BCC's and indicated that the College was exempt from the payment of stormwater charges. That went up on appeal to the second District Court of Appeals who affirmed the trial court's decision. The case went on to the Supreme Court of Florida who refused to take the case and in essence affirmed those

decisions. BCC had a parallel case that it won at the trial level where the court ruled that the assessments were just that and the College was exempt from those. The appellate court reversed the trial court decision on the basis there was not enough evidence in the appellate court trial to make that determination. Therefore, the case has been returned to Brevard County for trial and the College is in the process of preparation.

b. Report on Midwest Research Institute

Dr. Gamble reported the Midwest Research Institute (MRI) Committee that was appointed by the Board has not had the opportunity to convene. Mr. Kirschenbaum is out of the country at this time; however, a meeting has been scheduled for next week and they will review the draft proposal for MRI that has been prepared by Akerman, Senterfitt, and Eidson, P.A. Dr. Gamble stated the suggestions and concerns expressed by Mr. Healy and Mr. Matheny will be addressed item by item. The proposal will then be forwarded to MRI and they will provide input. Dr. Gamble hoped to bring the final proposal to the Board for action at the March 15 Board of Trustees meeting.

7. NEW BUSINESS:

a. Purchasing Actions (Addendum)

(1) #98-99-09 - Software for GIS Lab - Palm Bay Campus

Dr. Gamble asked Mr. Little to review the purchase of the software for the Geographic Information System (GIS) Lab at the Palm Bay Campus. Mr. Little reported Brevard Labs received PECO funding approximately three years ago to install a GIS Lab for this type of equipment. Environmental Systems Research Institute, Inc. is the prime supplier of GIS software and data and this software is compatible with the present products utilized at the GIS Lab. Dr. Gamble recommended approval of the sole source purchase of GIS software from Environmental Systems Research Institute, Inc. in the amount of \$21,890.00.

Mr. Johnson moved approval of the sole source bid award to Environmental Systems Research Institute, Inc. in the amount of \$21,890.00. Mr. Healy seconded the motion. All those voting in favor of the motion - Healy, Johnson, Morton; opposed - none. Motion unanimously approved.

b. Personnel Actions (Addendum)

Dr. Gamble asked Mr. Lawton to review the Personnel Actions. Mr. Lawton reported salary increases include increases for grounds keepers, custodians and security guards which resulted from a recent analysis of hourly pay for the part-time employees in those categories. Mr. Lawton reported there is a tentative contract with the former Cleanroom Director to work with the College on a consulting basis. The technician currently there will remain at the Cleanroom at this time. Dr. Gamble recommended approval of the routine Personnel Actions.

Mr. Healy moved approval of the routine Personnel Actions. Mr. Johnson seconded the motion. All those voting in favor of the motion - Healy, Johnson, Morton; opposed - none. Motion unanimously approved.

c. Report of the Presidential Search (Addendum)

Mr. Lawton reported the State Board of Community Colleges (SBCC) requires that the Chairman of the Board submit to the SBCC a report indicating the College complied with the guidelines and directives regarding the presidential selection process. Mr. Lawton briefly reviewed the report and expressed appreciation to Ms. Joni Oglesby, Employee Relations Specialist, for her work in the preparation of the report.

Mr. Healy moved approval of the report of the Presidential Search. Mr. Johnson seconded the motion. All those voting in favor of the motion - Healy, Johnson, Morton; opposed - none. Motion unanimously approved.

d. Approval of the 1999-2000 College Catalog (Addendum)

Mr. Little reported the College is going to press for the catalog for the 1999-2000 year and due to the time constraints he had worked up a 6.7% increase in the College tuition rate. The fees cannot be brought to the Board for approval, however, as the legislature has not actually given the College the official range. A disclaimer will be added to the catalog that the fees are subject to change as approved by the Board of Trustees and the assessed fees will be in line with regulations as approved by the Florida legislature. This action will enable the 1999-2000 College catalog to provide accurate information to students. Dr. Gamble reported the amount of fees charged in Florida are at the low end of fees charged nationally at community colleges and the proposed figures will still be at the bottom of the fee structure across the country.

Dr. Kaliszeski reported a draft of the College catalog for 1999-2000 was provided to the Board in final form with the exception of a few changes. He pointed out that by approving the catalog, the Board is also approving the calendar. The catalog is scheduled to go to the printer March 1. Dr. Gamble recommended approval of the 1999-2000 College Catalog.

Mr. Johnson moved approval of the 1999-2000 College Catalog. Mr. Healy seconded the motion. All those voting in favor of the motion - Johnson, Healy, Morton; opposed - none. Motion unanimously approved.

e. Florida Association of Community Colleges Trustee Legislative Workshop

Dr. Gamble reported the Florida Association of Community Colleges Trustee Legislative Workshop and Legislative Days are scheduled in Tallahassee April 12 and 13. Dr. Gamble reported that he, along with Mr. Morton, plan to attend. Dr. Gamble encouraged Board members to participate in this event as it is a good opportunity to determine what is going on relative to legislation that might affect the community colleges.

**8. FINANCIAL ACTIONS:**

a. Acknowledgment - Monthly Budget Summary - January 1999 (Addendum)

Mr. Little reported the Monthly Budget Summary was presented for the Board's information and acceptance. He stated the budget continues to look solid. He will probably be bringing a budget amendment next month for the Board's approval.

b. College Membership - Continuous Quality Improvement Network (CQIN)

Dr. Gamble requested Board approval for the College to become a member of the Continuous Quality Improvement Network which is a national organization of approximately 30-40 community colleges across the country who are involved in looking at transformational leadership and organizational matters, as well as continuous quality improvement. Dr. Gamble reported he has been associated with this organization for approximately four years and has found it to be a very productive organization. Dr. Gamble further reported on the upcoming activities of the CQIN. Dr. Gamble recommended approval of membership with CQIN.

Mr. Johnson moved approval of membership with CQIN.  
Mr. Healy seconded the motion. All those voting in favor  
of the motion - Johnson, Healy, Morton; opposed - none.  
Motion unanimously approved.

Dr. Gamble reported he had asked Mr. Raphael to provide him with a summary of  
memberships for the College. He  
will be reviewing memberships on  
an institutional and departmental  
basis.

**9. REPORT OF THE DISTRICT PRESIDENT:**

a. Governor-s Proposal

Dr. Gamble reported a summary of the Governor-s proposal for the community  
college budget was received for the next fiscal year and proposes a 5.51% increase  
in funds for the community colleges.

b. Announcement

An announcement went out this week relative to the appointment of the new  
president at Brevard Community College to the presidents of the colleges and  
universities in the State of Florida and others around the country.

c. Association of Community College Trustees Seminar

Dr. Gamble reported later this week he will be leaving to attend the Association of  
Community College Trustees seminar in Washington, DC that has focused on  
national legislation as it relates to the community colleges. He will be visiting  
with delegates relative to issues that are important to Brevard Community  
College. In addition, he will be bringing back information on where the federal  
government appears to be heading relative to funding. Dr. Gamble felt this is an  
important function and encouraged the Board of Trustees, if their schedules would  
permit, to go to Washington and meet with their colleagues especially as it relates  
to federal legislation and its impact on community colleges.

d. Editorial - Florida Today and Other Items

Dr. Gamble brought to the Board-s attention an editorial that appeared in the  
Florida Today which was an interview with the president by the editorial board.

**10. ADJOURNMENT:**

There being no further business to come before the Board, the meeting adjourned at 3:55  
p.m.

**APPROVED:** \_\_\_\_\_  
**Chairman, District Board of Trustees**

**APPROVED:** \_\_\_\_\_  
**Secretary, District Board of Trustees**