

**BREVARD COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
MEETING**

September 30, 1999  
3:00 P.M.

Lecture Auditorium  
Palm Bay Campus

**PRESENT:** Eugene C. Johnson, Chairman; Betts O. Silvernail, Vice Chairman; James W. Handley; 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 and asked the Board if they would agree to allow Ms. Judy Spencer, BellSouth, to make her presentation when Item #7 was discussed. It was the consensus of the Board to allow her presentation at that time.

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

a. Minutes - Board of Trustees Meeting - August 16, 1999

Mrs. Silvernail moved approval of the minutes of the Board of Trustees meeting. Dr. Penn Williams seconded the motion. All those voting in favor of the motion - Handley, Martinez, Silvernail, Penn Williams, Johnson; opposed - none. Motion unanimously approved.

**3. COMMUNICATIONS:**

a. Report on Palm Bay Campus Master Plan - Dr. Purga

Dr. Bert Purga, Palm Bay Campus President, distributed and reviewed a map of the Palm Bay Campus and provided information on the history of the development of the Palm Bay Campus as well as future plans. The existing 170,000 plus square foot building opened in January 1990. Building #2, which will be the Library/Science Building will be constructed along the lake adjacent to Building #1 with three floors and approximately 80,000 square feet. The Wellness Center/Bookstore/Classrooms building, Building #3, will be four stories. UCF will be housed in Building #3 and contributions will be made by UCF for construction of the building. Dr. Purga indicated a Fine Arts Center is proposed as well as utilizing an area for an Amphitheater. He pointed out on the map the entities located on the college campus, i.e., Brevard Teaching and Research Laboratories, the Cleanroom, as well as those planned for the future. Dr. Purga reported a new parking lot will be constructed to accommodate the new buildings.

The Palm Bay Fire Department presently has a fire station located on the Palm Bay Campus. Due to the easy access to San Filippo Drive, the Brevard County Sheriff's Department is interested in locating a Sheriff Station on the Palm Bay Campus property. Dr. Purga reviewed the site of the proposed YMCA and the community swimming pool which will be located contiguous to the proposed site. The swimming pool is already funded as a joint-use project with assistance from the City of Palm Bay, Brevard County and the community college division. The University of Florida Agriculture Extension Center has located portable buildings totaling 10,000 square feet on the Palm Bay Campus. Five thousand square feet will be used by the Business Incubator/TRDA.

Dr. Gamble asked if the Board had any concerns regarding the YMCA locating on the Palm Bay Campus. There were no objections by the Board of Trustees. Dr. Gamble reported the college would have joint-use of this facility.

**4. CITIZEN'S PRESENTATION:**

a. Carl Finerson

Mr. Carl Finerson, 1677 Dodge Circle, Melbourne, spoke on behalf of Mr. Jim Ross, past Associate Vice President of College Relations, for Brevard Community College. Mr. Finerson stated he represented the National Association for the Advancement of Colored People, South Brevard Branch.

Mr. Johnson reported the College attorney and Mr. Ross' attorney are presently in negotiations.

**5. CONSTRUCTION & DEVELOPMENT:**

a. Recommendation - Architectural Selection Committee - Continuing Small Projects - Mr. Little (Addendum)

Mr. Little reported the college periodically requires an architect's services for small projects. The Architect Selection Committee for Continuing Small Projects met on September 9, 1999 to review the qualifications of submitted firms. Based on specific criteria, the committee recommended the architectural firm of Rood and Zwick as the top firm for small projects defined as those costing \$500,000 or less where the architect fee is less than \$25,000. Mr. Little reported on the benefits to the college of having an architectural firm approved for small projects. Projects would come to the Board for approval and the projects would be bid. Approval is only for architectural services. Dr. Gamble recommended approval of retaining Rood and Zwick for small projects.

Mrs. Martinez moved approval to proceed to negotiate a contract with the architectural firm of Rood and Zwick for small projects. Mr. Handley seconded the motion. All those voting in favor of the motion - Martinez, Handley, Silvernail, Penn Williams, Johnson; opposed - none. Motion unanimously approved.

**6. OLD BUSINESS:**

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

(1) Legal Action Summary

Mr. Joe Matheny, College Attorney, reviewed the legal action summary provided to the Board. He reported he mailed a summary to the Board of the negotiations with Mr. Ross. Mr. Matheny reported the attorneys involved in the Ross matter are discussing a mediation where a third uninvolved party listens to both sides and privately evaluates their case and encourages and, in about ninety percent of the cases, promotes a settlement of issues. The mediator does not have the authority to determine the issues or to unilaterally impose a settlement, but would simply try to promote an agreement between the parties. There cannot be an agreement without the approval of the Board of Trustees. The Board had no objections to mediation.

(1) Summary - Contract With Methode Florida, Inc.

Mr. Matheny reported there were initially some title issues that have since been resolved to Methode's satisfaction for the purchase of the cleanroom. There is a contract with Methode in the amount of \$1,832,000. The closing of the property, is scheduled for Friday, October 8. Mr. Matheny reported it was hoped that the college could get a discount in the repayment of the \$1,350,000 grant that the Federal Economic Development Administration provided for the construction of the cleanroom; however, it will have to be paid back. The Technological Research and Development Authority will also have to be paid back a grant in the amount of \$200,000. Dr. Gamble stated overall this is a win-win proposition in that there is little justification for the college to be in the cleanroom business and secondarily bringing in Methode will be of benefit to the area as they have indicated to the college their plans are to expand the number of employees they currently have somewhere in the neighborhood of 100 by the year 2001. This will have a positive economical development impact and will allow the college to get out of the cleanroom business. Methode will also enhance the high-tech character of the state and the country.

Dr. Purga reported in Methode's letter to the Florida Education and Research Foundation they are requesting the right of first refusal on the BCC property immediately west of the cleanroom building. Mr. Matheny reported as BCC owns this property, the Board would have to make the decision on whether to give Methode right of first refusal through a separate agreement if the college ever decided to dispose of the land. Mrs. Martinez indicated it would be to the college's advantage to provide the first right of refusal to Methode with the stipulation that the college require the entire parcel be sold as a unit. It was the consensus of the Board that Mr. Matheny to proceed with the preparation of the necessary legal document to Methode providing the first right of refusal for the property specified.

**7. NEW BUSINESS:**

- a. Purchasing Actions (Addendum)
- (1) #98-99-14 - Network Upgrade Mr. Shaulis

Mrs. Judy Spencer, BellSouth, addressed the Board on the subject of the proposed network upgrade for the college. She asked that the Board table its decision until BellSouth receives further clarification on issues they have raised in correspondence provided to the college.

Mr. Jim Shaulis, Director, Collegewide Data and Information Systems, reported in order to upgrade the college's communications infrastructure to provide for increased demand and to accommodate growth, a request for proposal (RFP) was sent to thirteen vendors who specialized in these services. The RFP was divided into two lots: (1) to provide for increased bandwidth for internet services and (2) to increase the wide area network access speed to improve campus to campus communications. At last month's Board meeting, although BellSouth was recommended for Lot #1, it was the consensus of the Board that the free service from the State of Florida and the Florida Information Resource Network (FIRN) be checked into. Mr. Shaulis reported the deal has been consummated and BCC will be one of the first colleges to tie into this service.

Mr. Shaulis reported that for Lot #2, a committee of BCC staff, faculty and administrators evaluated the responses from the two contenders; BellSouth and Time Warner. Based on total scores of the evaluation, the college is asking for Board approval to enter into negotiations with Time Warner as the provider of wide area network service for BCC.

Mr. Martin Lorenz, Senior Account Manager, Time Warner, and Mr. Shaulis gave a presentation on service to be provided by Time Warner and answered questions presented by the Board. Mr. Shaulis reported that because of the Facilities Enhancement Challenge Grant to address collegewide technology needs, the college preferred to go with a higher up-front cost and lower monthly cost which the Time Warner proposal provided. Mr. Shaulis reviewed the five year comparison. Time Warner's proposal for the five-year cost was \$730,000 as compared with the proposal from BellSouth which came to \$968,489. Mr. Shaulis and Mr. Lorenz reviewed the details of the Time Warner proposal with the Board. The Board discussed how the network rings would work. The college would actually control what is put on the network. Time Warner would be allowed to contract with others for the extra space on the rings, however, the Board felt the college should have first refusal. Dr. Gamble recommended approval to negotiate a contract with Time Warner.

Mrs. Martinez moved approval for the college to negotiate a contract with Time Warner contingent upon: (1) assurance the college is not in violation of any regulatory aspects; (2) to include topics in the negotiations and concerns that have been brought up, the issue of what happens at the end of the contract regarding maintaining the equipment and the network and to work out a satisfactory cost for this; (3) and to add to the contract the right of first refusal on the sale to a third party of any unused bandwidths. Dr. Penn Williams seconded the motion. All those voting in favor of the motion - Martinez, Penn Williams, Silvernail, Handley, Johnson; opposed - none. Motion unanimously approved.

(A five-minutes recess was called.)

b. Personnel Actions - Mr. Lawton (Addendum)

Mr. Robert Lawton, Associate Vice President of Human Resources, reviewed the Personnel Actions presented for Board approval. Dr. Gamble recommended approval of the Personnel Actions.

Mrs. Silvernail moved approval of the Personnel Actions. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Silvernail, Martinez, Penn Williams, Handley, Johnson; opposed - none. Motion unanimously approved.

**8. FINANCIAL ACTIONS:**

a. Monthly Budget Summary - Mr. Cherry (Addendum)

Mr. Mark Cherry, Associate Vice President of Accounting, reviewed the Summary of Income and Expenditures for the month ending August 31, 1999. Mr. Cherry reported this is the first summary prepared utilizing the new Banner finance system. Approximately 17% of the fiscal year has transpired. Dr. Gamble stated once the sample budget formats are received the administration will look at ways to expand the Board's understanding of how the college expends funds and how it maintains control throughout the year. Mr. Johnson, Chairman, acknowledged receipt of the August Monthly Budget Summary.

a. Approval of Write-Off - Cleanroom Equipment - Mr. Cherry (Addendum)

Mr. Cherry reported as part of the sale of the Cleanroom to Methode Communications, Inc. it will include all cleanroom related equipment currently on the cleanroom grants. Mr. Cherry reviewed the revised list of equipment with the Board. Dr. Gamble recommended approval of the write-off of the Cleanroom equipment as revised.

Mrs. Martinez moved approval of the write-off of cleanroom equipment. Mr. Handley seconded the motion. All those voting in favor of the motion - Martinez, Handley, Penn Williams, Silvernail, Johnson; opposed - none. Motion unanimously approved.

**9. INTERNAL AUDITOR'S REPORT:**

a. Audit Report #2 (Addendum)

Mr. Michael Raphael, Director of Internal Audit, reviewed findings and recommendations of Internal Audit Report: 99/00-Number 2, "Cash Counts." An administrative response was provided.

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

a. Annual Physical (Addendum)

Dr. Gamble requested the Board's approval of the list of three physicians as provided in his contract. It was the consensus of the Board that Dr. Gamble be allowed to utilize any of the three physicians listed for his physical exam. In addition, Dr. Gamble asked the Board if they wished to maintain this process or whether they would be satisfied with an annual report from the physician. It was the consensus of the Board that Dr. Gamble's contract be revised so that the Board is not required to approve the list of physicians each year. A report on the physical would be provided to the Board.

b. Strategic Planning (Addendum)

Dr. Gamble reported a hand-out was provided to the Board from Dr. Al Koller, who is the Chairman of the Strategic Planning Steering Committee. The first results of the committee of the college vision/mission statement have been provided. No action is required at this time, however, Dr. Gamble will bring this item back to the Board for formal action at a later date. It is the intent to utilize the vision/mission statement for the basis of the other teams that will be reviewing all other aspects of the college and coming forward with recommendations on where the college should be heading over the next three years. Mr. Johnson commended the work of the Strategic Planning Committee.

**10. ADJOURNMENT:**

There being no further business to come before the Board, the meeting adjourned at 6:35 p.m.

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

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