

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

August 21, 2000

4:00 P.M.

Rm. #168,
Performing Arts Center
Melbourne Campus

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

ABSENT: Mrs. Miriam Martinez

1. CALL TO ORDER:

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

Dr. Gamble called the Board's attention to the revised agenda. Dr. Penn Williams asked to place 7.a., "Report on Pending Legal Actions" on the regular agenda.

2. CONSENT AGENDA:

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

- 3.a. Minutes - Board of Trustees Workshop - July 17, 2000
- 3.b. Minutes - Board of Trustees Meeting - July 17, 2000
- 7.b. Approval of Revisions to College Policy #102.06, #103.01 & #400.05
(2nd reading)
- 8.a. Approval of Personnel Actions
- 8.b. Deletion of Courses Not Taught for Five Years
- 9.a. Correction - Out-of-State Tuition
- 9.b. Monthly Budget Status Report
- 9.c. Approval of Expenditure from Allied Health Challenge Grant

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

3. **APPROVAL OF THE OFFICIAL MINUTES OF PREVIOUS MEETING:**

- a. Minutes - Board of Trustees Workshop - July 17, 2000

_____ Approved – consent agenda.

- b. Minutes - Board of Trustees Meeting - July 17, 2000

Approved - consent agenda.

4. COMMUNICATIONS:

- a. Report on SACS Distance Learning Substantive Change Review - Dr. Cobb

Dr. Katherine Cobb, Associate Dean, Distance Learning, addressed the Board of Trustees on what is taking place with the Distance Learning program and the substantive change review. The Commission on Colleges has recognized that many of the institutions have gone through an expansion in the method of education delivery through distance learning efforts. It is important the Commission on Colleges ensure the colleges maintain their quality and they meet the criteria for accreditation that the institution has to meet through their formal accreditation process. Since there has been a substantive change in the method BCC delivers courses in the distance learning program, primarily with the online advances, the SACS accreditation team will be visiting Florida. The review is being conducted for the entire state at the same time. The review has been offered to all 28 community colleges, however, only 13 have chosen to participate for a variety of reasons, i.e., no substantive change of delivery or a recent review has already been conducted. Dr. Cobb reported the 13 that are participating have expanded their distance learning opportunities. In October, approximately 25 individuals, who are members of a SACS visiting team, will come to the State of Florida and will meet with the representatives of the Florida Community College Distance Learning Consortium. From there they will go out in teams to the community colleges. Initially, the Commission on Colleges requested the colleges prepare the document entitled, “Notification of Substantive Change Procedure C: Distance Learning Education” and team members are now reading the document prior to their visit. Dr. Cobb reported the colleges accepted this action as an opportunity to improve the distance learning program.

Dr. Cobb discussed two areas which were cited for improvement, one of which was faculty involvement and appropriateness of a program. Between August 30 and the first of October the team members will be electronically visiting BCC’s online campus. The team will physically arrive on Sunday, October 8 at Orlando and Dr. Cobb and Dr. Gamble will meet with them at that point. A Cocoa Campus visit will be held at a later date. They will then meet as a group and discuss the 13 colleges and make recommendations for improvement on any area covered in the substantive change review. Dr. Cobb felt the college was well

prepared for the visit. The SACS visiting team

5. **CITIZEN'S PRESENTATION:**

None

6. **CONSTRUCTION AND DEVELOPMENT:**

a. **Status of Construction Report - Mr. Little**

Mr. Al Little, Vice President of Finance and Administrative Services, reported on the progress made on the Palm Bay expansion project. Progress is being made on the library/science building. The structure is expected to be dried in by the end of September at which time will begin the task of electrical, plumbing, drywall and other aspects of construction to complete the project. Dr. Purga has been working with the college purchasing department on equipment needs for the building.

Board of Trustees Meeting
July 17, 2000
Page -4-

The BCC/UCF joint-use facility is the only aspect of the expansion project left to contract. Advertising is being done for a construction manager and a proposal for that will be brought to the Board next month. The financial issues with the architects have been resolved and Stottler Stagg has agreed to pay \$22,000, which is the difference between change order #1 and the cost the college would have incurred had the proper documentation been in the bid package. A new architect has been placed on the project and the college is pleased with the progress he is making with an improved communication line being maintained. The plans for the BCC/UCF joint-use facility are currently 60% complete. UCF was unable to identify funds to build a fourth floor on the building, therefore this will be a three story structure. Ground breaking on the building should take place by the end of the year with the finalized plans being presented to the Board for approval in October. The science and library building is expected to be available for occupancy next summer and the joint-use building should be complete by December 2001.

Mr. Little provided an update on the welcome center plans and stated he expects to bring the final a contract to the Board at the next meeting. The construction manager and the architect are working on finalizing the plans and preparing the cost estimates for both the Cocoa and Melbourne projects. Next summer is the anticipated completion date for both projects.

Work is progressing for the Titusville Campus HCAV project. Construction will continue for most of the summer.

Mr. Little recognized the college's maintenance crew who have successfully completed approximately 100 renovation and repair projects across the college's campuses. He recognized Mike Jones from the maintenance staff who was in charge of all of the projects and commended him for the fine job he has done.

Mr. Little reported the performance contract with FP&L is progressing. FP&L is currently working on their energy survey and will meet with BCC representatives once it is complete. They are working with the college on the Titusville A/C project.

The college is connected with Time Warner between the Cocoa and Melbourne campuses and the Melbourne and Palm Bay campuses. The connection should be up in the near future with Titusville. The response time has been extremely satisfactory. Mr. Little reported from the input he has received, the Time Warner connection has exceeded all expectations.

Board of Trustees Meeting
July 17, 2000
Page -5-

b. Midwest Research Institute Quarterly Report/Business Plan - FY 2001 -
Dr. Purga/Dr. Hall (Addendum)

Dr. Bert Purga, Palm Bay Campus President, introduced Dr. Andrea Hall, Senior Vice President of Midwest Research Institute (MRI). Dr. Hall reported on preliminary figures for the quarter and reported MRI did sustain losses due to some contracts which had been in place for a number of years prior to the management and operations agreement. The contracts do not fully cover the costs of the activity, therefore, it was anticipated there would be some losses during the year. Dr. Hall estimated for the first closing, which will be in approximately ten days, the profit for the year will be between \$50,000 and \$60,000 for the full year. Dr. Hall reported one of the objectives was to change the business mix and slowly work off contracts which are not covering costs and to bring in more business that is more in the research as opposed to testing line. There were strong sales of more than \$4 million and a variety of new clients were added.

Dr. Hall reviewed the MRI Florida Division/Florida Teaching and Research Laboratory FY 2001 Business Plan. Sales of \$4.6 million are forecast with revenues of approximately \$4.2 million. After income and expenses, a net gain is expected of \$170,000 in 2001. Dr. Hall reported in June, MRI's Board of Directors met and gave permission for moving ahead on the purchase of the laboratory. The MRI Board has assigned a committee to work with Dr. Hall in

guiding negotiations for the purchase of the facility.

Mrs. Martinez asked how the agreement would work if the purchase took place during FY 2001. Dr. Hall responded this should be part of the negotiations as MRI moves forward in the purchase process. The time frame was discussed and Dr. Hall indicated MRI is ready to move forward rapidly.

7. OLD BUSINESS:

- a. Report on Pending Legal Actions - Mr. Matheny

Approved - consent agenda.

8. NEW BUSINESS:

- a. Approval of Personnel Actions - Ms. Oglesby

Approved - consent agenda.

Board of Trustees Meeting

July 17, 2000

Page -6-

- b. Revisions to College Policy #102.06, #103.01 and #400.05 (1st Reading)

_____ 1st reading acknowledged as part of the consent agenda.

- c. Review of State Audit, Year Ending 1999 - Mr. Little

Dr. Gamble stated the college is extremely proud of the audit which has taken place this year. It is reflective of the effort of Mr. Little and his staff to see that the college is placed in the best possible posture.

Mr. Little briefly reviewed the operational audit for the fiscal year ended June 30, 1999. He reported the auditors reviewed all aspects of the college over several months in order to prepare the report. There were only two findings in the report, one of which repeats concerns regarding a direct support organization which lost money for several years. Having only two findings in the report placed the college in an elite group and due to the results of the audit, the Auditor General's office has decided they will not need to perform an operational audit on BCC this year. Due to their heavy workload, they are skipping audits on colleges having excellent results. Only six of the 28 community colleges fall into this category.

BCC has reduced the number of findings in the audit from as many as fourteen two years ago to two for this year. The only new finding is with regard to the

college's budgeting of student activities and services fee. Some expenditures in this area were questioned by the auditors as they were not included in the budget approved by the Student Activities Counsel. This was an administrative oversight which came at a time when both the position of Vice President for Finance and the Associate Vice President for Accounting were vacant and the individuals preparing the budget were not aware of everything which should be included in the budget submitted. The complete student activities and services budget has been approved by the Student Activities Counsel for both the past 1999-2000 and the 2000-2001 year. No further problems are anticipated in this area.

d. Selection of College Attorney - Dr. Gamble

Dr. Gamble reported it is important to recognize that the contract for attorney's services is with the Board and not the administration of the college. At the present time the college's contract allows the continuance of the existing arrangement until the Board makes a decision. Dr. Gamble reported the college solicited more than 400 legal firms in Brevard County and a few out of county firms. Seven applicants were received in response to the RFP which was sent out.

Board of Trustees Meeting
July 17, 2000
Page -7-

The Board went through a process of reviewing materials from those firms and selected four finalists – Amari and Theriac, Dean Mead, Holland and Knight and Joe Matheny. The presentations held prior to the Board meeting included a fifteen minute exposition by the firm and time for questions.

Mr. Johnson spoke positively regarding Mr. Matheny's presentation and his 32 years of experience with the college and felt strongly about continuing services with Mr. Matheny. Mrs. Martinez requested Dr. Gamble's comments pertaining to the quality of Mr. Matheny's services. Dr. Gamble spoke favorably regarding Mr. Matheny's services and he stated the college administration would be supportive of continuing Mr. Matheny as the attorney. Mrs. Silvernail recommended a two-prong approach to meeting the college's legal needs. It was the consensus of the Board to go with a two-prong approach. Dr. Gamble felt it would be feasible to continue with Mr. Matheny as the primary attorney and refer to another firm cases which require other expertise. Mr. Handley spoke favorably regarding the firm of Amari and Theriac, although he felt all four firms were excellent. Mrs. Silvernail felt the law firm of Holland and Knight offered a wide variety of expertise, especially in the area of union negotiations and employee relations. Further discussion followed on attorney services and needs of the college.

Dr. Penn Williams moved approval to retain the legal

services of Mr. Matheny, year-to-year, and that Holland and Knight serve as the legal referral company that Mr. Matheny would utilize them for matters out of his area of expertise and that this be revisited at the end of a year. Mrs. Silvernail seconded the motion. All those voting in favor of the motion - Penn Williams, Silvernail, Handley, Martinez, Johnson; opposed - none. Motion unanimously approved.

Mrs. Martinez felt it important that Dr. Gamble work with Mr. Matheny to find a way to transition things over the months ahead. It was the consensus of the Board to place legal services on the agenda for the August workshop.

9. FINANCIAL ACTIONS:

a. Approval of Capital Outlay Budget, 2000-2001 - Mr. Little (Addendum)

Mr. Little reported the Capital Outlay Budget, 2000-2001, is being presented for
Board of Trustees Meeting
July 17, 2000
Page -8-

the Board's approval. He briefly reviewed the highlights of the budget. The proposed budget for the 2000-2001 year totals \$29,571,619.65 which includes funds carried over from the 1999-2000 year of \$23,790,814.36 and new funding totaling \$5,780,805.29. Each campus has also submitted a list of smaller projects to renovate or repair areas on campus. The campus based projects are projected at \$900,000 collegewide. Mr. Little answered questions presented by the Board.

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

b. Acceptance of Florida Teaching and Research Laboratory Audit, Year Ending 1999 - Mr. Cherry

Mr. Mark Cherry, Associate Vice President for Accounting, answered questions presented by the Board.

Mrs. Silvernail moved approval of the acceptance of the Florida Teaching and Research Laboratory Audit, Year Ending 1999. Mr. Handley seconded the motion. All those

voting in favor of the motion - Silvernail, Handley, Penn
Williams, Martinez, Johnson; opposed - none. Motion
unanimously approved.

c. Write-Off of Florida Teaching and Research Laboratories Cash Advance

Mr. Little reported over the years the college had paid the expenditures of the Florida Teaching and Research Laboratories if funds were not available on the FTRL books. The expenditures were charged to the FTRL expense accounts, but the cash came from college accounts. This created a temporary cash advance that has become more than temporary. With the commencement of the MRI agreement the necessity to cover expenses with college money has eased. The college books, however, still record a temporary cash advance to the FTRL totaling \$2,477,411.59 at June 30, 2000. It becomes more apparent that the cash advance is unlikely to be repaid to the college. The Board was asked to approve the write-off of this asset from the college's records. In the event funds become available to repay the advance, the college retains the right to collect. Mr. Little reported the college will have a sufficient fund balance to cover the state minimum requirements after the asset is removed from the books. Mrs. Silvernail commended the college administration for this accomplishment.

Board of Trustees Meeting
July 17, 2000
Page -9-

Mrs. Silvernail moved approval of the write-off of the Florida Teaching and Research Laboratories cash advance. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Silvernail, Martinez, Penn Williams, Handley, Johnson; opposed - none. Motion unanimously approved.

d. District President's Contract - Mr. Johnson

Mr. Johnson recommended extending Dr. Gamble's contract one year for a three-year term. Normally in July the president's contract is given consideration for extension for one year with the salary adjustment given to all other employees.

Mr. Handley moved approval of the extension of Dr. Gamble's contract for one year to include a 3% salary adjustment. Mrs. Silvernail seconded the motion.

Dr. Gamble stated this is the first year in many years that the college has given differential raises and it does cause some concern among the staff. In deference to that decision he suggested his raise be less than the staff raise, and requested a 2% raise as opposed to the 3% raise.

The motion was amended to approve the extension of Dr. Gamble's contract for one year and to include a 2% salary adjustment. All those voting in favor of the motion - Handley, Silvernail, Penn Williams, Martinez, Johnson; opposed - none. Motion unanimously approved.

10. REPORT OF THE DISTRICT PRESIDENT:

a. Student Center

Dr. Gamble reported the college is approaching the reconstruction of the student center which required everyone being moved from the student center to the Dobson Center. The move to the Dobson Center was a relatively smooth transition which he felt was due to the spirit of staff and their willingness to embrace change. He felt they are looking forward to the completion of the Welcome Center and also felt the smooth transition is a credit to physical plant who came in and made the move in such a manner that there was very little disruption of service.

Board of Trustees Meeting
July 17, 2000
Page -10-

b. State Board of Community Colleges

This past week BCC hosted the State Board of Community Colleges. The general feedback from the State Board was extremely positive. Thursday was spent on the Cocoa Campus and the Friday meeting was held in the Debus Center, which is a new conferencing center at Kennedy Space Center. As part of that meeting there was a presentation on the new center for Aerospace Development. The college is preparing a business plan for that entity of the college as per the Board's request which will be brought to the Board at the August meeting. The college has received notification from the National Science Foundation that it is among the finalist for distinction as a National Center of Excellence. If successful, the college will receive up to \$1,000,000 a year for three years, in addition to industry match, and state, local and private funds that are designated for this same purpose.

c. Fall Enrollment

Dr. Gamble reported fall registration begins July 24 and he is looking forward to hopefully improving the enrollment status from last year. This drop in enrollment has been all through the state, as well as across the country.

d. New Faculty-Staff Benefits

Dr. Gamble reported this fall it is hoped to have two new benefits for faculty and staff. The first benefit would be discounted tickets for King Center performances on selected performances. He felt with the wonderful facility and performances available that faculty and staff should have the opportunity to be able to participate. Secondly, a benefit proposing a new tuition waiver program for full-time and permanent part-time faculty and staff of the college to take courses at BCC is being finalized. The program will enable courses to be taken on a space available basis.

e. Accelerated Degree Options

Dr. Gamble reported this fall two new accelerated degree options are being offered, both of which have been featured in the new fall schedule. The weekend college in Melbourne will concentrate on offering classes in the evening and all day Saturday, which will allow a student to complete an associate degree in less than two years in a fairly concentrated approach. The second program is a concentration factor utilizing regular classes and on top of that using the minimester courses that are available. Those students who can handle the load will have opportunities to advance more quickly.

Board of Trustees Meeting
July 17, 2000
Page -11-

f. Fall Welcome Back Day

Dr. Gamble reported August 17 from 8:30 a.m. until Noon will be the Welcome Back Day and all faculty and staff will be assembled at the King Center for an opening session. He invited the Board to attend.

g. Commencement

Dr. Gamble reported the college will be conducting two commencements on August 5. The Titusville/Cocoa commencement will be at 3:00 p.m. and the Melbourne/Palm Bay commencement will be held at 7:00 p.m. Both of the ceremonies will be held in the King Center.

h. College Goals Workshop

Dr. Gamble reported August 18 and 19 the College Goals Workshop has been scheduled which will be held on Friday and Saturday for the Board. He reminded the Board to submit their goals and priorities on the check-off sheet in advance of the meeting so that a sense of the Board's priorities can be provided at the meeting. The workshop will begin on Friday, August 18 at 3:00 p.m. and will be held on Saturday, August 19 from 9:00 a.m. until Noon.

i. Administrative Matrix

Dr. Gamble reported a copy of the administrative matrix assignments has been provided to each Board member.

j. Student Follow-Up

Mrs. Silvernail asked the status of the follow-up phone calls to be made to students. Ms. Bilsky reported any student who has turned in an application will receive a call back. Dr. Gamble reported each of the college's deans has been working hard on enrollment efforts for the past six months.

Board of Trustees Meeting
July 17, 2000
Page -12-

11. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 5:54 p.m.

APPROVED: _____
Chairman, District Board of Trustees

ATTESTED: _____
Secretary, District Board of Trustees