

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

March 19, 2001
4:00 P.M.

Board Room (#231), Bldg. 2
Cocoa 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; Dr. Thomas E. Gamble, Secretary; Mr. Joe Matheny, Attorney

1. CALL TO ORDER:

Mr. Johnson called the Board meeting to order.

2. CONSENT AGENDA:

Dr. Gamble recommended approval of the consent agenda items:

- 3.a. Approval of Minutes - Board of Trustees Workshop - February 19, 2001
- 3.b. Approval of Minutes - Board of Trustees Meeting - February 19, 2001
- 6.b. Approval of Change Order #00-01-Extension of Time - Walkway and
Mechanical Building (Bldg. #4) - Palm Bay Campus
- 7.a. Approval of Report on Pending Legal Actions
- 7.b. Approval of Out-of-Country Travel
- 8.a. Approval of Personnel Actions
- 9.a. Approval of Monthly Budget Summary Report

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

3. APPROVAL OF THE OFFICIAL MINUTES OF PREVIOUS MEETING:

- a. Minutes - Board of Trustees Workshop - February 19, 2001
Approved - consent agenda.
- b. Minutes - Board of Trustees Meeting - February 19, 2001
Approved - consent agenda.

4. COMMUNICATIONS:

a. Report on the Radiology Technology Program - Cocoa Campus - Dr. Fettrow/
Ms. Sheehan/Ms. Lanza

Dr. Brenda Fettrow, Cocoa Campus President, introduced Ms. Sandra Lanza, instructor and Ms. Susan Sheehan, Assistant Professor of Radiography in the Allied Health Department. Ms. Sheehan gave a powerpoint presentation of the Radiology Technology Program, including the energized laboratories and the use of the radiographic film digitizer. She reported the radiography program began in 1975 at BCC and more than 375 students have graduated from the program. Many of the graduates have stayed in the Brevard County area and are employed in the local hospitals as program directors and department directors; application specialists for manufacturers of x-ray products; instructors and working in speciality radiography areas. The radiography program has been approved for sixty students. The Radiology Program is accredited by the Joint-Review Commission on Education in Radiologic Technology, a branch of the U.S. Department of Education. The program has just completed the reaccreditation process. Ms. Sheehan reported an Associate of Science Degree in Radiography is offered through the two-year program and many of the students articulate directly to the University of Central Florida.

Ms. Lanza reported there were 120 applicants this year with 55 of those applicants meeting qualifications and 30 were accepted into the radiology program. She reviewed the program completion rates and registry results. In the 1997-2000 graduate surveys there has been a 100% approval rating. There has also been a 100% approval rating from employer surveys returned.

Ms. Lanza reported application is being made for a Capitalization Incentive Grant in the amount of \$200,000, to expand the radiologic sciences offerings of nuclear medicine and a sonography program.

It was reported there is a high demand for radiography program graduates and recruiting takes place even from the Orlando Regional Medical Center. Currently the start salary for graduates is approximately \$13.00 an hour. Sign on bonuses of approximately \$5,000 have been offered to radiographers from some hospitals. Ms. Lanza reported clinical site availability limits the number of students in the radiology program. It is an accreditation requirement that the ratio is one student per radiographer; students have to be under the direct supervision of a radiographer. Mrs. Martinez discussed the use of clinical sites and potential areas and increasing the number of students in the program to meet the demands of the future. Ms. Sheehan reported currently facilities which can handle students are being used for clinical sites. Mrs. Silvernail discussed the use of other hospitals by the BCC program. Ms. Sheehan reported only one program is allowed at each hospital and currently Valencia Community College and the University of Central Florida are utilizing the hospitals in that area.

5. CITIZEN'S PRESENTATION:

None

6. CONSTRUCTION AND DEVELOPMENT:

- a. Approval of the Amendment to Construction Manager Contract - Guaranteed Maximum Price - BCC/UCF Joint-Use Classroom Building (Bldg. #3) - Palm Bay Campus - Mr. Little (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reviewed the provisions of the amendment to the construction management contract with A.D. Morgan Corporation for Building #3, Palm Bay Campus. The BCC/UCF Joint-Use Classroom Building (Building #3) houses a new bookstore, fitness center, classroom space, office space for UCF and future classroom space for BCC in the shelled-out third floor. A.D. Morgan has completed an extensive task of obtaining subcontractor bids and has presented a guaranteed maximum price of \$3,705,325.87 for the building. Dr. Gamble recommended approval of the guaranteed maximum price for Building #3, Palm Bay Campus in the amount of \$3,705,325.87.

Mrs. Silvernail moved approval of the guaranteed maximum price from A.D. Morgan Corporation for Building #3, Palm Bay Campus, in the amount of \$3,705,325.87. Mr. Handley seconded the motion. All those voting in favor of the motion - Silvernail, Handley, Martinez, Penn Williams, Johnson; opposed - none. Motion unanimously approved.

- b. Approval of Change Order #00-01 - Extension of Time - Walkway and Mechanical Building (Bldg. #4) - Palm Bay Campus - Mr. Little (Addendum)

Approved - consent agenda.

7. OLD BUSINESS:

- a. Report on Pending Legal Actions (Addendum)

Approved - consent agenda.

- b. FERF Report - Mr. Stuhlmiller (Addendum)

Mr. Bob Stuhlmiller, Chairman, Florida Education and Research Foundation (FERF), provided a brief report on the FERG debt. One year ago the alternatives regarding the FERG debt were to either default which could lead to possible litigation or to continue

paying the status quo. Mr. Stuhlmiller reported on a third alternative now available. The FERF Board unanimously voted to authorize Mr. Stuhlmiller to sign a contract for the sale and purchase of the Florida Teaching and Research Laboratories, the adjoining five acres and the associated equipment for \$4 million. The purchaser is Midwest Research Institute. Mr. Stuhlmiller reported the contract meets all of the conditions the consultant was instructed to negotiate. There is a contingency period of 60 days during which the purchaser will be allowed to perform its due diligence. One of the conditions is the approval of the Board of Trustees, which is being requested today. Mr. Stuhlmiller reported once the contract was signed, the consultant set up a meeting with the bond holder, Merrill Lynch and the trustee, SunTrust Bank, which resulted in a favorable discount on the bonds and removal of the 3% prepayment penalty.

Mr. Joe Matheny, College Attorney, reported the contract has been reviewed and a number of objections and suggestions to the original contract were made and all of those have either been eliminated or worked out so that the contract is a viable document that does not contain provisions that are impossible to meet. From his understanding the \$4 million offer is consistent with the value of the property, which includes an approximately 2.5 acre lot adjacent to the building and property of approximately 2.02 acres and an extensive list of equipment. Mr. Matheny reported some of the equipment is owned by the college and some is owned by FERF and possibly FTRL. Mr. Matheny reported part of MRI's request is to transfer all of the equipment to FERF to enable FERF to transfer the equipment at closing. Mr. Matheny distributed a copy of the motion made by the FERF Board pertaining to the contract approval with MRI.

Mr. Johnson asked if action could be taken on this item since it was not listed as an action item on the agenda. Mr. Matheny reported the Board could take any action deemed appropriate at a regular Board meeting. In a special meeting, however, the Board is limited to the matters set on the agenda.

Mr. Little reviewed the financial summary pertaining to the proposed sale of the FTRL and the elimination of the debt. This amount includes adjustments for the waiver of the 3% penalty prepayment premium and a 12% discount on the bonds (89%) held by Merrill Lynch. Mr. Little reported the effect of the sale on Brevard Community College totals approximately \$827,000, after adjustments are made for land value booked as receivable, the remaining budget allocated for bond payments and transfers available from other BCC accounts. Mrs. Martinez asked if the summary took into account the quarterly profit sharing arrangements with MRI. Mr. Little reported the college is waiting for notice from MRI on whether there was a profit incurred for the last quarter. However, the profit sharing in most cases just offsets the normal costs BCC would have to incur dealing with custodial fees or other areas.

Mr. Handley asked Mr. Little if the college could afford the \$827,000 budget amendment. Mr. Little reported the college has been planning for the sale of FTRL and feels confident the college can afford to make this transaction. In the long run, the college will be better off paying BCC's contribution toward the sale to MRI than the other alternatives. Mr. Little reported the total budget adjustment of \$1,477,189 is less

than two years of bond payments. If the sale was rejected today, the college would face not only payment of the bond principal of \$8,095,000, but also interest totaling more than \$8 million over the next 20 years. Mr. Little reported the sale of FTRL will enable the Board of Trustees to shift over \$14,500,000 in expenditures over the next 20 years in bond payments to appropriate educational benefits. Dr. Gamble reported he is satisfied there will be no negative financial impact on the day-to-day operation of the college by making a commitment at this time. It is his impression as he looks at the numbers and other options presented to the Board, that this sale represents a significant good deal. There are indications from those beyond the college staff that in light of the assessed value it is the best deal the college can expect to get. Dr. Penn Williams asked if there had been a recent appraisal of the property. Mr. Matheny reported it was determined that due to the prior appraisal and the tax appraisers statement that it was not necessary to pay for this additional expense. Dr. Penn Williams expressed concerns regarding the sale of FTRL to MRI. Mr. Little and Mr. Matheny answered questions presented by Dr. Penn Williams.

Mrs. Martinez moved approval to accept the offer presented by MRI. Mrs. Silvernail seconded the motion.

Dr. Penn Williams called for discussion. (Her statement is an official part of the addendum file.)

Dr. Penn Williams moved approval to postpone the vote on the sale of FTRL to MRI. Motion died for lack of second.

The Board members and college staff discussed issues pertaining to the sale of FTRL to MRI.

Mrs. Martinez amended her original motion and moved approval of the FERF/MRI contract and authorized the college administration to: (1) Fund the Bond payoff after application of the net proceeds of the sale; (2) Transfer ownership to FERF of the college equipment located at the Labs facility; and (3) Fund the Seller/Broker's commission and closing costs associated with the transaction and to establish an account receivable from FERF in favor of BCC for all funds advanced by the college pursuant to this motion.

Mrs. Silvernail seconded the amendment to the original motion. All those voting in favor of the

motion - Martinez, Handley, Silvernail, Johnson;
opposed - Penn Williams. Motion passed 4-1.

Mr. Handley commended the parties involved with the proposed sale between FERF/MRI for FTRL and was delighted to be able to go onto other things for the better good of the college. Mr. Johnson confirmed this was the consensus of the Board.

8. NEW BUSINESS:

- a. Approval of Personnel Actions - Ms. Oglesby (Addendum)

Approved - consent agenda.

- b. Approval of Faculty Divisional VIP Awards - Dr. Gamble (Addendum)

Dr. Gamble reported the beginning of the faculty contract year, the VIP award was established recognizing outstanding faculty members. There are two components to the faculty divisional VIP awards; Divisional -- in which up to 10% of the faculty may be recommended as selected by faculty peers through an academic division committee; and, Collegewide -- in which up to 45% of the faculty may be recommended as selected by a faculty-academic administrator committee. Approval of the faculty recommended for the divisional faculty award provides a \$1,250 addition to the base pay of full-time faculty for the following year, subject to the availability of funding. Dr. Gamble recommended approval of the 25 nominees for the Divisional VIP Award.

Mrs. Martinez moved approval to accept the
25 nominees for the Division VIP Award.

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

- c. Approval of Interinstitutional Articulation Agreement - School Board - Dr. Bilsky (Addendum)

Dr. Judy Bilsky, Associate Vice President of Educational Services, reported Florida Statute 240.1161 requires an articulation agreement between the community college and the local school district. The college has been working with the school district committee for approximately six months to prepare the articulation agreement being presented for approval. Dr. Bilsky provided a summary of the changes in the articulation agreement and reported these changes reflect the intent of House Bill 2105 to expand dual enrollment opportunities for qualified high school students. This agreement will also require the approval of the Brevard County School Board. Dr. Gamble recommended

approval of the interinstitutional articulation agreement between BCC and the School Board.

Mrs. Martinez moved approval of the articulation agreement between BCC and the School Board. 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.

9. FINANCIAL ACTIONS:

a. Monthly Budget Summary Report (Addendum)

Approved - consent agenda.

b. DSO Fiscal Audits (Addendum)

Mr. Mark Cherry, Associate Vice President of Collegewide Accounting, reported per Florida Statutes 240.331, the direct support organization financial statements and independent auditors' reports, and federal IRS Application for Recognition of Exemption (Form 1023) and federal IRS Return of Organization Exempt for Income Tax (Form 990) are submitted for approval by the Board. He reported each of the dsos received an unqualified or clean opinion from the respective independent auditors for the year ended June 30, 2000. Mr. Cherry answered questions presented by the Board.

Dr. Penn Williams moved approval of the BCC direct support organization financial statements and independent auditors' reports, and federal IRS Application for Recognition of Exemption (Form 1023) and federal IRS Return of Organization Exempt for Income Tax (Form 990).

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

10. REPORT OF THE DISTRICT PRESIDENT:

a. BCC Student Government Delegation Tallahassee Visit

Dr. Gamble reported a delegation of twelve students led by faculty member Amy Hendricks traveled last week to Tallahassee prepared with the community college legislative issues. Their agenda included visits with the Governor's education policy aid,

Speaker of the House, President of the Senate, House and Senate Appropriation Committee Chairs, and the Brevard legislative delegation members. Dr. Gamble stated he concurred with the students' suggestion that this be an annual event. He has already received positive feedback from Tallahassee regarding the visit and felt they represented BCC well.

b. National Science Foundation Grants

Dr. Gamble reported notice was recently received that BCC was awarded two National Science Foundation Advanced Technical Education Grants; Distributed Energy Systems Curricula for the Development of Energy Technology Technicians to be led by Dr. Don Astrab and Project Sun: Teacher Preparation at Brevard Community College spearheaded by Dr. Linda Krupp. Both grants are joint projects with the UCF Solar Energy Center.

c. Nursing Crisis Efforts

Dr. Gamble reported with the nursing crisis in the state of Florida and throughout the country the college is positioning itself to deal with future demands. A meeting has been scheduled for March 20 with hospital CEOs and heads of nursing at the Cocoa Campus to discuss in detail how BCC might be able to expand the nursing program and extend the location to more than one campus.

He reported he would be flying to Tallahassee on Wednesday to join a community delegation of presidents and system representatives to meet with Senator Campbell regarding bill (SB 1256/HB 1129) limiting the role of the State Board of Nursing in impacting expansion of nursing programs across the state. Dr. Gamble reported the Board of Nursing stipulates there can only be a ratio of 12 students to one faculty member. The second requirement of the Board of Nursing is the faculty members must have a Masters degree. The two restrictions make it difficult to deal with the expansion of the nursing program. Some indications have been received by the hospitals who feel they can handle more student nurses in their facilities. The college is moving toward expanding the nursing program.

d. Managerial Training Program for the Administrative Council

Dr. Gamble reported a managerial training program was presented by Holland and Knight last Saturday for the members of the Administrative Council, which consists of approximately 56 of the top college administrators. Dr. Gamble commended the staff handbook prepared to assist in the selection of new employees.

e. Budget Process for 2001-2002 - Mr. Little

Mr. Little reported on the budget development process and reported a change was made in the budget submission process. The submission process was web-based and he has received a lot of positive feedback. This process was changed to become more user friendly and also prevented a problem with the distribution of paperwork. The Cabinet is now working to prioritize budget needs and to set institutional goals. Mr. Little reported the budget proposal will be brought to the Board in a workshop format on May 21 at 3:00 p.m. The budget is scheduled to be formally adopted at the June Board meeting.

f. Additional Workshop Scheduled on the Institutional Effectiveness Planning Process

Dr. Gamble reported in light of a strategic planning goal, a workshop has been added prior to the regular Board meeting on April 16 at 3:00 p.m. Mr. Lawton will present his Institutional Effectiveness Plan and describe how it relates to the strategic planning effort for the college.

g. Spring Inservice Program

Dr. Gamble reported March 16 a college inservice program was held, which was a success. In the afternoon the entire faculty and staff visited the north, central and south areas of the county to engage in various community activities.

h. Florida Educational Governance Recommendations

Dr. Gamble reported he e-mailed an early version of the Florida Educational Governance Recommendations. He has a more current document available for the Board's review. There are no significant changes from the early version of the document sent to the Board by e-mail.

i. House and Senate Bills

Dr. Gamble reported he had provided a copy of the latest listing of House and Senate bills he felt would be of general interest to the Board.

j. Diversity Report - Leadership Brevard

Dr. Gamble reported he was selected to participate in the Leadership Brevard program this year and his team will be presenting a program on diversity in Brevard County. Part of his assignment was to obtain statistics and provide an assessment profile to determine sensitivity to diversity issues.

k. Request for Board Members to Serve on Committees

Dr. Gamble reported Board members are being solicited for two college committees:

(1) Collegewide Master Planning Committee and (2) Renovations of Building #1, Titusville Campus. He asked that interested Board members contact Dr. Gamble. (Mr. Handley volunteered to serve on the Collegewide Master Planning Committee.)

11. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 5:55 p.m.

APPROVED: _____
Chairman, District Board of Trustees

ATTESTED: _____
Secretary, District Board of Trustees