

**BREVARD COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
MEETING**

August 20, 2001  
4:15 p.m.

Room #168, Performing Arts Center  
Melbourne Campus

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

**1. CALL TO ORDER:**

Mr. Johnson called the Board meeting to order.

Dr. Gamble reported there were no changes to the agenda. However, there were some handouts that relate to agenda items for the Board. Dr. Penn Williams asked for Item 6.c., "Approval of Palm Bay Aquatic Center Plans," to be placed on the open agenda. Mrs. Martinez asked for Item 8.f., "Approval of College Public Broadcasting Service Membership," to be placed on the open agenda.

**2. CONSENT AGENDA:**

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

- 3.a. Approval of Minutes – Board of Trustees Budget Workshop – July 23, 2001
- 3.b. Approval of Minutes – Board of Trustees Meeting – July 23, 2001
- 6.a. Approval of Substantial Completion – Cocoa Campus Welcome Center
- 6.b. Approval of Extension Contract with Rood & Zwick
- 8.a. Approval of Personnel Actions
- 8.b. Approval of College Policy Manual
- 8.e. Approval of Allied Health Grant Fund Expenditures
- 8.g. Approval of Membership with NAFSA
- 9.a. Approval of Monthly Budget Status Report – July 2001

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

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

- a. Minutes – Board of Trustees Budget Workshop – July 23, 2001

Approved – consent agenda.

- b. Minutes – Board of Trustees Meeting – July 23, 2001

Approved – consent agenda.

**4. COMMUNICATIONS:**

Mr. Johnson introduced the new member of the Board of Trustees, Mr. C. R. “Rick” McCotter III, from Titusville. Mr. McCotter stood up and gave a brief history of his background.

- a. Welcome Comments – Dr. Spraggs

Dr. Laurence Spraggs, Titusville Campus President, thanked Dr. Gamble and the Board for the confidence they have shown in giving him the honor of being the Titusville Campus President. Dr. Spraggs gave a brief overview of plans for the direction of the Titusville campus. Health care is centered on the Cocoa Campus, but the new Parrish Medical Center being built next to the Titusville Campus is another developing opportunity for Allied Health programs. Another area of opportunity is teacher education. Dr. Spraggs reported BCC has a very successful dual enrollment academy and all classes are filled. Dr. Spraggs would like to look at possibly expanding this to a health career academy or information technology academy for high school students. He reported there will be a new student center on the Titusville Campus and he plans on making the campus more student-centered.

- b. Report on Cisco Program – Mr. Russo (Addendum)

Mr. Claude Russo, Assistant Professor of Computer Science (Department Chair), reported that it had been approximately two years ago that he presented a report to the Board and Dr. Gamble on the state capitalization incentive grant received for \$200,000. Today’s presentation will be on the results of the grant. Mr. Russo reported that information technology certifications are a big industry, there is an increased demand for them, they are required for many technical positions, and higher paying jobs and pay increases come along with the certifications. Most of the certifications require a person to re-certify. BCC builds a customer base,

which results in returning customers. The certifications that BCC currently offers are: Microsoft Certified Systems Engineer (MCSE); the Cisco Certified Network Associate (CCNA); the Microsoft Certified Solutions Developer; the A+ Hardware Certification; and Oracle. Students consist of degree-seeking students, continuing education students, corporate training students, retraining and workforce development students, certification programs students, and distance learning students.

Mr. Russo reported BCC has a new networking technology degree as a result of the grant, which includes certifications in A+ Hardware Certification; Cisco CCNA; and Microsoft MCSE. This program has allowed BCC to compete with other educational institutions in the area.

Mr. Russo reported on the two types of academies associated with the Cisco program. BCC's regional academy is a high school in Daytona, which adopted the first Cisco academy in the state. BCC currently contains two local academies at the Melbourne Campus and the Palm Bay Campus. The Cisco academies are worldwide and are broken into three regions. If BCC can get additional high schools in the area involved, BCC will eventually become a regional academy.

Mr. Russo reported on Cisco levels of certification. Mr. Russo and Dr. Don Astrab, Dean of Technical Education, hope to receive another state capitalization incentive grant to bring the next level of Cisco training into the college.

Mr. Russo reported BCC's competitors are Keiser College, Herzing College, Rollins College, and Florida State University. BCC is ahead of the competition with its top-notch facilities and premiere labs.

Mr. Russo reported BCC's challenge is to pay instructors competitive salaries. Dr. Gamble reported that Ms. Joni Oglesby, Associate Vice President of Human Resources, is working on the pay scale situation.

Mr. Russo reported the other challenge for BCC's Information Technology Program is that information changes on an annual basis, which means BCC has to continually update the degree programs and offerings. The instructors have to complete training each year to maintain their certifications, which is a cost to BCC, along with the cost of overhead. Dr. Gamble commended Mr. Russo and

reported that Mr. Russo has been serving as the college leader of this effort throughout the college.

**5. CITIZEN'S PRESENTATION:**

None.

**6. CONSTRUCTION AND DEVELOPMENT:**

- a. Approval of Substantial Completion – Cocoa Campus Welcome Center – Mr. Little (Addendum)

Approved – consent agenda.

- b. Approval of Extension of Contract with Rood & Zwick – Mr. Little (Addendum)

Approved – consent agenda.

- c. Approval of Palm Bay Aquatic Center Plans – Dr. Purga (Addendum)

Dr. Bert Purga, Palm Bay Campus President, reported the school board administration has committed \$200,000 toward the aquatic center project. The proposed project cost is within budget and no college money is involved, only the property. Dr. Purga reported the aquatic center would be located on the western border of the campus. Mr. Moon reported it would be approximately two months before groundbreaking. Dr. Purga reported the contributions of the participating parties would combine to take care of the heavy maintenance of the facility. The day-to-day maintenance will be taken care of by the lifeguard staff and BCC will maintain the grounds. Dr. Gamble recommended approval of the Aquatic Center plans.

Dr. Penn Williams moved approval of the proposal of the Palm Bay Aquatic Center plans. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Johnson, Penn Williams and Silvernail; opposed – none. Motion unanimously approved.

**7. OLD BUSINESS:**

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

Mr. Matheny reviewed the report on pending legal actions.

(1) Report on Purchase of Surplus Palm Bay Property – Mr. Matheny (Addendum)

Mr. Matheny reported the Board requested appraisals of the three lots BCC owns along Treeland Boulevard, as well as the 17 acres that BCC owns on College Parkway. He reported there were two contract offers on the three lots, however, those offers have been withdrawn and there is no offer at the present time on any of those properties. The three lots were appraised at \$36,000 an acre. The appraiser used six comparable sales to reach that figure. The total appraisal for the three lots is \$174,000. The 17 acres were appraised at \$30,000 an acre for a total of \$510,000. Mr. Matheny reported the Board can sell the land for more than its appraised value. He understands the college would like to market both of the parcels, in a reasonable way, and as soon as possible. BCC can list the properties; however, Mr. Matheny suggested waiting to see if Stratos makes an offer.

(2) Approval of College Legal Services – Mr. Matheny (Addendum)

Mr. Matheny reported on the legal services for the college for the next fiscal year. The staff has recommended the continued services of Mr. Matheny as general counsel and he will coordinate matters with Holland and Knight outside of his legal expertise, including the labor matters. Mr. Matheny reported that he reviews all of the legal activities, except for some of the daily personnel matters.

Mrs. Martinez suggested that Mr. Matheny be kept informed of how the resources are being used. Dr. Gamble reported Mr. Matheny handles all of the contractual, property, lawsuit-type of legal services with the freedom to triage individual cases out as needed. The largest share of services by Holland and Knight has been because of the faculty negotiations. Mr. Hament reported he is committed to working through Mr. Matheny.

Dr. Penn Williams asked for clarification between the Hogg, Ryce and Hudson firm and the Norton, Allen and Blue firm. Mr. Matheny reported Norton, Allen and Blue on the listing was for Mr. Mattimore's services, as

BCC's labor attorney during part of the fiscal year 1999-2000. Those fees terminated July 2000. Holland and Knight went under contract shortly thereafter. The Hogg, Ryce and Hudson firm is attributable to the Creel case only.

Mr. Matheny reported the Creel case is coming up for a hearing on August 27, 2001, on the Cocoa Campus with Mr. Handley serving as the hearing officer. Mr. Handley's legal advisor will be Mr. Andy Hament. Dr. Gamble reported legal costs have been reasonable and the comparative rates are low.

Dr. Gamble recommended approval of the college legal agreements services with Mr. Matheny and Holland and Knight.

Dr. Penn Williams moved approval of Mr. Matheny's contract for legal services for this year as well as the contract with Holland and Knight with Mr. Matheny serving as the lead attorney. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Johnson, Penn Williams and Silvernail; opposed – none. Motion unanimously approved.

(3) Approval of Dissolution of FTRL and FERF – Mr. Matheny/Dr. Purga  
(Addendum)

Mr. Matheny reported that in a joint meeting between Florida Teaching and Research Labs (FTRL) and Florida Education and Research Foundation (FERF), both boards voted to dissolve their respective corporations. Prior to the motion, FERF voted to convey to the homeowners association, all 14 parcels of the land they owned. Both of those motions were subject to the BCC Board's approval. Mr. Matheny reported a motion is required to approve the transfer of the real estate from FERF to the homeowners association, as well as to approve the dissolution of both corporations. Dr. Gamble reported the college does not want to have any continuing obligation or responsibility for maintaining the remaining FERF properties. Mr. Matheny reported BCC is going to take whatever steps are necessary to disassociate all college personnel from the homeowners association. Mrs. Silvernail suggested BCC notify the people who have built on BCC land that the homeowners association exists. Mr. Matheny had already drafted a letter to Stratos, Accudyne, and MRI suggesting they may want to take an interest in that association. If BCC goes through the dissolution process and reports it to the

Secretary of State, it terminates any personal liability to the Board. Dr. Gamble recommended approval of the dissolution of FTRL and FERF and the transfer of property to the homeowners association.

Dr. Penn Williams moved approval of the dissolution of FTRL and FERF and the transfer of real estate as recommended. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Johnson, Penn Williams and Silvernail; opposed – none. Motion unanimously approved.

(4) Approval of Addendum to the District President's Contract – Mr. Matheny (Addendum)

Mr. Matheny reported on the annual review of the District President's contract. This proposal is for the District President to participate in the same increase as the other BCC employees, at 6%, and to add one year to his contract, making it a three-year contract ending June 30, 2004, as well as to provide long-term disability coverage. This approval would be retroactive to the beginning of the fiscal year, July 1, 2001. Discussion ensued relative to the procedure and request.

Mrs. Martinez moved approval of the 6% salary increase effective July 1, 2001; that one year be added to the contract until June 30, 2004; and that long-term disability insurance be provided. Mrs. Silvernail seconded the motion. All those voting in favor of the motion – Handley, Martinez, Johnson, Penn Williams and Silvernail; opposed – none. Motion unanimously approved.

b. Report on Senior Management Option Retirement Plan – Mr. Little (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reported that last month the Senior Management Option Retirement Plan was presented to the Board and was approved with the stipulation of receiving acceptable answers to certain questions upon having the plan reviewed by an attorney. Mr. Little reported the firm of Holland and Knight was contacted and the matter was referred to an ERISA attorney. Mr. Little had already provided the Board a memo explaining this information. This plan is not subject to an ERISA, which reduces many requirements. As a governmental plan, the discrimination rules of 403(b)

would not apply. There is no tax return required for this plan. There is no audit requirement required for this plan. The attorney recommended revising the language pertaining to indemnifying the employees. There were no hidden costs that were identified. The Board was satisfied that their concerns were answered.

**8. NEW BUSINESS:**

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

Approved – consent agenda.

- b. Approval of College Policy Manual – Dr. Gamble (Addendum)

Approved – consent agenda.

- c. (First Reading) – Revision to BCC Policy #102.06 “Harassment” – Ms. Oglesby (Addendum)

No action required.

- d. Approval of Joint Virtual Campus – Dr. Cobb/Dr. Drake (Addendum)

Dr. Kathy Cobb, Associate Vice President of the Virtual Campus, and Dr. James Drake, Campus Executive Officer of UCF and Brevard Campus and Centers, presented the Joint Virtual Campus proposal. Dr. Cobb reported the agreement provides a single transition for BCC distance learning students to transfer to the UCF distance learning program. This partnership will open a door to those people who are homebound or whose work schedule or other responsibilities prevent them from attending traditional classroom settings. It is intended to provide a platform, a web portal, where both institutions will share information to students regarding courses, programs, academic advising, and degree and credit auditing, so students can determine their transfer eligibility from BCC to UCF. The faculty and administration will work together to share resources. It is the intent of both parties that this will become a model or template for other community colleges to work with UCF. Dr. Drake reported the agreement would require approval by both institutions, annually. Dr. Gamble reported the BCC administration believes this is a welcome expansion to the partnership that has been in place for many years. Dr. Gamble recommended approval of the Joint Virtual Campus proposal.

Mrs. Martinez moved approval of the Joint Virtual Campus proposal between BCC and UCF.  
Mr. Handley seconded the motion. All those voting in favor of the motion – Handley, Martinez, Johnson, Penn Williams and Silvernail; opposed – none. Motion unanimously approved.

- e. Approval of Allied Health Grant Fund Expenditures – Dr. Fettrow (Addendum)

Approved – consent agenda.

- f. Approval of College Public Broadcasting Service Membership – Dr. Cobb (Addendum)

Dr. Cobb reported WBCC-TV is an educational television station for the benefit of the students and community for educational purposes. She reported the PBS membership will enhance this mission. In the past, the telecourses were obtained through funding via the state legislature. That funding no longer exists. The PBS membership will allow BCC to have access, free of charge, to other educational programs, which BCC will utilize for telecourses. Because WBCC-TV is going digital, it will have more programming needs, which PBS will be able to fill. PBS is discontinuing new memberships after this year. Dr. Gamble recommended approval of the PBS membership in the amount of \$64,915 pending attorney review.

Mr. Handley moved approval of the college Public Broadcasting Service membership in the amount of \$64,915 pending acceptance of the attorney after review. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Johnson, Penn Williams and Silvernail; opposed – none. Motion unanimously approved.

- g. Approval of Membership with NAFSA – Ms. Arrington (Addendum)

Approved – consent agenda.

**9. FINANCIAL ACTIONS:**

- a. Approval of Monthly Budget Status Report – July 2001 - Mr. Cherry (Addendum)

Approved – consent agenda.

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

- a. Reorganization of the Board of Trustees

Dr. Gamble reported the Board was provided a template of the Board reorganization procedure as well as a copy of last year's minutes. Mr. Johnson turned the gavel over to Dr. Gamble who called for nominations for Chair. Mr. Johnson nominated Mrs. Miriam E. Martinez as Chair of the Board of Trustees.

There being no other nominations from the Board, Dr. Gamble recommended the Board by acclamation appoint Mrs. Miriam E. Martinez as Chair of the Board of Trustees. Mr. Johnson moved approval of Mrs. Miriam E. Martinez as Chair. Dr. Penn Williams seconded the motion. All those voting in favor of the motion – Handley, Johnson, Penn Williams, Martinez, and Silvernail; opposed – none. Motion unanimously approved.

Dr. Gamble called for nominations for the position of Vice Chair. Mrs. Martinez nominated Mr. James W. Handley as Vice Chair of the Board of Trustees.

There being no other nominations from the Board, Dr. Gamble recommended the Board by acclamation appoint Mr. James W. Handley as Vice Chair of the Board of Trustees. Mrs. Silvernail moved approval of Mr. James W. Handley as Vice Chair of the Board of Trustees. Mr. Johnson seconded the motion. All those voting in favor of the motion – Martinez, Johnson, Penn Williams, Handley, and Silvernail; opposed – none. Motion unanimously approved.

b. Committee Assignments – Board of Trustees

Mrs. Martinez asked the Board of Trustees members to choose the committees they would like to serve on. They are as follows:

Alumni Association Committee	Mr. Johnson
Architect Selection Committee	Mrs. Martinez
BCC Foundation Board of Directors	Mr. Handley
The Historic Cocoa Village Playhouse Board of Directors	Mr. McCotter III
Direct Support Organization Task Group	Dr. Penn Williams
Insurance Committee	Mr. Handley
Maxwell C. King Center for the Performing Arts Board of Directors	Dr. Penn Williams
Master Planning Committee	Mr. Johnson

c. Enrollment

Dr. Gamble announced the Fall enrollments are up 7% in headcount and close to 9% in credit hours.

d. Palm Bay Academy Charter Newspaper Article

Dr. Gamble asked that the Board take notice of the Palm Bay Academy Charter article featuring BCC Board of Trustees member, Dr. Penn Williams.

e. BCC 2001-2002 Catalog

Dr. Gamble reported the 2001-2002 catalog will probably be the last year-at-a-time catalog. BCC will move in the direction of a two-year catalog and an online catalog.

f. “Tight Finances in the State” Article

Dr. Gamble reported the article pertains to tight finances in the State. Dr. Gamble urged the Board members to read the article.

g. BCC Board of Trustees Retreat on Goals

Dr. Gamble reported the date for the retreat is being moved from September 7, 2001, to September 21, 2001. Ms. Terry Martin, Executive Assistant to the District President, will be contacting the Board members to confirm the date and arrangement.

h. Tour of the Melbourne Campus Welcome Center

Dr. Gamble reported Dr. Kaliszeski has arranged for a tour of the new Melbourne Campus Welcome Center in Building 1, immediately following the Board meeting.

**11. ADJOURNMENT:**

There being no further business to come before the Board, the meeting adjourned at 7:22 p.m.

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

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