

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

January 28, 2002
4:00 p.m.

Building #2, Room #163
Palm Bay Campus

PRESENT: Mrs. Miriam E. Martinez, Chair; Mr. James W. Handley, Vice Chair;
Mr. Eugene C. Johnson; Mr. C. R. "Rick" McCotter III;
Dr. Alexandra M. Penn Williams; Dr. Thomas E. Gamble, Secretary;
Mr. Joe Matheny, Attorney

1. CALL TO ORDER:

Mrs. Martinez called the Board meeting to order.

The following changes took place to the agenda:

a. Items Added to Agenda

- Item 6.c. "Construction Manager for WBCC-TV and the Administration Building in Cocoa"
- 7.a.(1) "Stormwater Proposal"
- Item 7.b. "Athletics Alternative Proposal"
- Item 8.h. "Proposed Process for Requesting Future Agenda Items"

b. Items Removed from Agenda

- Item 8.c. "Approval and Second Reading of Revision to College Policy #102.03, 'Proscribed Items or Activities on Campus.'" (Final Reading of this policy will be presented at the Board meeting on February 18, 2002.)
- Item 8.e. "Approval and Second Reading of New College Policy #400.08, 'Admission to the College,'" is removed because of additional changes that will be made to the policy. (First Reading of this policy will be presented at the Board meeting on February 18, 2002, due to major adjustments in content.)

c. Corrections to Agenda Items

Item 8.a. “Approval of Personnel Actions”

Dr. Penn Williams reported she will have to abstain from voting on Item 6.b., “Approval of Melbourne Science Building Renovation Construction Manager,” pursuant to the “Conflict of Interest” Florida Statute. (Her Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers is attached.)

2. **CONSENT AGENDA:**

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

- 3.a. Approval of Minutes – Board of Trustees Workshop on Pool – December 17, 2001
- 3.b. Approval of Minutes – Board of Trustees Meeting – December 17, 2001
- 6.a. Approval of Palm Bay Pool Construction Manager (Weller Pools, Inc. and A. D. Morgan Construction)
- 6.b. Approval of Melbourne Science Building Renovation Construction Manager (A. D. Morgan and W & J Construction)
- 7.a. Approval of Report on Pending Legal Actions
- 8.a. Approval of Personnel Actions
- 8.b. Approval of Academic Calendar for 2002-2003
- 8.d. Approval and Second Reading of New College Policy #201.05, “Self-Performance of Certain Code Inspections in Construction Projects”
- 9.a. Approval of Monthly Budget Status Report

Mr. Handley moved approval of the consent agenda items. Mr. Johnson seconded the motion. All those voting in favor of the motion – Handley, Johnson, McCotter, Martinez, and Penn Williams (Dr. Penn Williams abstained from voting on Item 6.b., “Approval of Melbourne Science Building Renovation Construction Manager); opposed – none. Motion unanimously approved.

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

- a. Minutes – Board of Trustees Workshop on Pool – December 17, 2001

Approved – consent agenda.

- b. Minutes – Board of Trustees Meeting – December 17, 2001

Approved – consent agenda.

4. COMMUNICATIONS:

Dr. Don Argo, Chairman of the Math Department on the Cocoa Campus, presented his new historical novel, “Canaveral Light,” to the Board of Trustees.

5. CITIZEN’S PRESENTATION:

- a. Mr. John MacIver, BCC Student

Mr. MacIver, as a past member of the Student Activities Council, spoke in support of the alternative proposal for the athletics program. He reported his concern is whether or not the community will be able to absorb the \$240,000 that comes from student activities fees in addition to the unrestricted program funding the community would have to absorb. Mr. MacIver reported, in his opinion, he does not see that the continued inequitable funding will be recommended by the next Student Activities Council.

- b. Ms. Teresa Hines, BCC Student

Ms. Hines reported on her perspective as a student of BCC. The athletic program encompasses approximately 100 students per year. There are several thousands of students on the other side of the fence who benefit from the remaining budget. When it comes down to academics, she believed it was in the best interest of the student body, of BCC, to maintain quality education through quality instructors and support staff throughout the school.

- c. Mr. Rusty Buchanan, Executive Director, Space Coast Sports Commission

Mr. Buchanan reported the community wanted to find potential solutions that did not affect the quality of education, staffing, and the program. He reported the proposal the BCC staff helped develop is workable and will continue the tradition of outstanding intercollegiate athletics at BCC, without jeopardizing the very things that seem to be of concern.

d. Mr. Tom Wasdin, Community Representative

Mr. Wasdin reported the community needs to support the alternative athletic program proposal. He introduced two citizens, Mr. Otis Johnson and Mr. Pembroke Burrows, III, who are former BCC students.

e. Mr. Pembroke Burrows, III, Former BCC Student and Basketball Player

Mr. Burrows spoke in support of retaining BCC's athletic programs. He pledged his support, morally and financially, to help BCC maintain its athletic program.

f. Mr. Otis Johnson, Former BCC Student, Basketball Player, and Distinguished Alumnus

Mr. Johnson spoke in support of retaining BCC's athletic programs.

g. Mr. Dick Blake, City of Rockledge Official

Mr. Blake spoke in support of retaining BCC's athletic programs. He read a resolution that was passed and adopted at a regular meeting of the Civic Council, at the City of Rockledge, on January 9, 2002. Mr. Blake pledged his financial support of the alternative athletic program proposal to maintain the outstanding reputation BCC has had over the past years.

h. Ms. Maureen G. Harrell, General Manager at the Holiday Inn in Cocoa Beach

Ms. Harrell reported on the potential financial impact of the elimination of the BCC athletic programs.

i. Ms. Connie Culbreth, BCC Instructor on the Palm Bay Campus

Ms. Culbreth reported she wanted to offer her support of the alternate budget proposal that has been prepared in cooperation with the administration and the community leaders.

j. Ms. Amy Rieger, Assistant Professor of History on the Cocoa Campus and President of UFF/BCC

Ms. Rieger reported a BCC faculty opinion survey, regarding budgetary cuts, was conducted. Various members of the faculty, union and non-union alike, played a role in formulating the questions and also the format of the survey itself. She reported the

responses indicated a tremendous concern for preserving the academic mission and focus of BCC.

6. CONSTRUCTION AND DEVELOPMENT:

- a. Approval of Palm Bay Pool Construction Manager – Mr. Little (Addendum)

Approved – consent agenda.

- b. Approval of Melbourne Science Building Renovation Construction Manager – Mr. Little – (Addendum)

Approved – consent agenda.

- c. Approval of Construction Manager WBCC-TV and Administration Building Renovations – Mr. Little (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reported the Construction Manager Committee for WBCC-TV studio and the Administration Building renovations met and reviewed the qualifications submitted by five of the construction management firms that were interested in the project. The Committee recommends the following firms, in priority order, to serve as construction manager for these projects: A. D. Morgan or W & J Construction. Mr. Little reported that with Board approval, the college will negotiate a contract, with A. D. Morgan to provide construction management services for the projects. In the event the college is unsuccessful in negotiating a contract with A. D. Morgan, it will attempt to negotiate a contract with the next firm (according to priority). Dr. Gamble recommended approval of the recommendation of the Construction Manager Committee.

Mr. Johnson moved approval of the Construction Manager Committee recommendation to negotiate a contract with A. D. Morgan, and if unsuccessful, to negotiate a contract with W & J Construction.

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

7. **OLD BUSINESS:**

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

Approved – consent agenda.

- (1) Stormwater Proposal – Mr. Matheny

Mr. Matheny provided a historical briefing of the stormwater situation. The college feels it is exempt from the stormwater fees. The City of Cocoa disagreed. The City of Cocoa claims the stormwater charges are user fees and BCC must pay the cost. The City of Cocoa proposed a complete settlement of all of these issues. The proposal is that BCC will convey a 34-acre piece of property owned by the Foundation at the corner of Rosetine and Range. Mr. Matheny recommended to the Board that BCC could agree with that proposal and give the City all of the land except 275 feet of the property off of Range Road. This would preserve the valuable corner for the Foundation. The proposed agreement also requests a permanent recorded easement across the BCC parking lot for parking for sports events. Mr. Matheny reported BCC should give an unrecorded use agreement or license to park onto BCC property in lieu of the easement.

Mr. Johnson moved approval for Mr. Matheny to proceed with this agreement. Mr. McCotter seconded the motion for discussion.

There was discussion among the Board members and Mr. Matheny regarding stormwater.

Mr. McCotter withdrew his second for the motion and requested more information prior to making a decision. Mr. Johnson also withdrew his motion.

Mr. Matheny reported he will contact the City of Cocoa and notify them that BCC is not satisfied with the changes in the proposal based on the discussions, and the Board will address this once the City of Cocoa commits to the changes. Dr. Gamble recommended the Board authorize Mr. Matheny to proceed with negotiations to a point of acceptance to be brought back to the Board members, along with the additional information requested by the Board members. Mr. Matheny suggested obtaining an

appraisal on the piece of property. The Board concurred. Mr. Matheny will provide a full report to the Board.

b. Athletics Alternative Proposal –Dr. Gamble

Dr. Gamble reported on the Athletics Alternative Proposal and recommended the Board take action on the proposal so the athletic teams, who are identified in the proposal, may proceed with their recruiting efforts. Mrs. Martinez asked Mr. Little to develop budget information to present to the Board members for clarification.

Dr. Penn Williams moved approval of the proposed Athletics Alternative Proposal that was reviewed in the workshop to allow the BCC Athletic Director to go forward with recruiting students with the understanding a workshop will be conducted in which the new data from Tallahassee, as well as a better understanding of the risk factors and recurring funds as it would effect the longevity of a program, be considered. Mr. Johnson seconded the motion. All those voting in favor of the motion – Handley, Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

8. NEW BUSINESS:

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

Approved – consent agenda.

b. Approval of Academic Calendar for 2002-2003 – Dr. Bilsky (Addendum)

Approved – consent agenda.

c. Approval and Second Reading of Revision to College Policy #102.03, “Proscribed Items or Activities on Campus”– Dr. Fettrow (Addendum) (Removed)

The revision to College Policy #102.03, “Proscribed Items or Activities on Campus,” will be presented for a final reading at the February 18, 2002, Board meeting.

- d. Approval and Second Reading of New College Policy #201.05, “Self-Performance of Certain Code Inspections in Construction Projects” – Mr. Little (Addendum)

Approved – consent agenda.

- e. Approval and Second Reading of New College Policy #400.08, “Admission to the College” – Dr. Bilsky (Addendum) (Removed)

The College Policy #400.08, “Admission to the College,” will be presented for a first reading at the February 18, 2002, Board meeting.

- f. Approval of Revised Joint-Use Aquatic Facility Agreement – Dr. Purga (Addendum)

Dr. Bert Purga, Palm Bay Campus President, reported on the revised Joint-Use Aquatic Facility Agreement, which includes the School Board. He reported there is no college money involved in this project. Mr. Jack Masson, Assistant Director of Brevard County Parks and Recreation Department, reported Brevard County Parks and Recreation will schedule, operate, and maintain the swimming pool. If approved, the agreement will go before the City Council, County Commission, and the School Board within the next month. Dr. Gamble recommended approval of the Revised Joint-Use Aquatic Facility Agreement.

Dr. Penn Williams moved approval of the Revised Joint-Use Aquatic Facility Agreement.

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

- g. Approval of WBCC/WCEU Agreement – Dr. Cobb (Addendum)

Dr. Kathy Cobb, Associate Vice President of the Virtual Campus, reported the purpose of the agreement between Brevard Community College and Daytona Beach Community College, is so that BCC can determine the parameters of its relationship when the agreement is entered into with Brown Road Tower to jointly lease tower space and some facilities at their site. Dr. Gamble recommended approval of the WBCC/WCEU Joint Participation Agreement.

Mr. Handley moved approval of the WBCC/WCEU Joint Participation Agreement. Mr. Johnson seconded the motion. All those voting in favor of the motion – Handley, Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

h. Future Agenda Items – Mrs. Martinez

Mrs. Martinez proposed a formal process where at every monthly meeting, the Board members would submit a form requesting an item be placed on a future agenda. It is in policy that the Chair and the District President determine the Board meeting schedule for inclusion of items as time permits. She asked that a form be developed to be sent out to the Board via e-mail. Mrs. Martinez also proposed a workshop on the process of the evaluation of the District President. Mrs. Martinez reported a motion was not required. It was the consensus of the Board to follow the process of submitting a form to have items placed on the agenda and to conduct a workshop on the evaluation process of the District President.

9. FINANCIAL ACTIONS:

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

Approved – consent agenda.

10. REPORT OF THE DISTRICT PRESIDENT:

a. Florida Career and Technical Education Week Proclamation

Dr. Gamble reported on the Florida Career and Technical Education Week Proclamation, from the Governor, which was included in the Board members' packets. It is important to note the Governor is recognizing the community college's roles in this area.

b. National Science Foundation Visiting Team

Dr. Gamble reported on the National Science Foundation (NSF) Visiting Team's visit to BCC. Dr. Gamble met with the NSF and the visit appeared to be positive. The grant is a national effort through BCC's relationship with an organization called Community Colleges for Innovative Technology Transfer (CCITT), which involves eight other community colleges across the country, associated with aerospace industry. BCC is in

the process of developing programs that will systematize the certification of aerospace workers. He reported a determination on the grant is anticipated by March 2002.

c. Summer Commencement Program

Dr. Gamble reported due to low attendance and based on budget reductions, BCC will no longer conduct the summer commencement programs. The students who graduate in the summer will still have access to a graduation following their program completion in the December or May graduation ceremonies.

d. Joint Meeting with the Brevard County School Board

Dr. Gamble reported the BCC Board of Trustees is conducting a joint meeting with the Brevard County School Board on February 5, 2002. A mailing went out regarding this and it included a list of topics for potential future agendas. The meeting will be held to prioritize which topics will be discussed at future meetings. He reported this is the first joint meeting, ever, between the BCC Board of Trustees and the Brevard County School Board members.

13. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 6:18 p.m.

APPROVED: _____
Chair, District Board of Trustees

ATTESTED: _____
Secretary, District Board of Trustees