

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

April 15, 2002
4:12 p.m.

King Center for the Performing Arts, Room #168
Melbourne Campus

PRESENT: Mrs. Miriam E. Martinez, 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

ABSENT: Mr. James W. Handley, Vice Chair

1. CALL TO ORDER:

Mrs. Martinez called the Board meeting to order.

The following change took place to the agenda:

a. Additions/Corrections to Agenda

Item 8.g. “BCC Equity Report”
Dr. Gamble added this to the agenda and reported it will be addressed by
Ms. Joni Oglesby.

2. CONSENT AGENDA:

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

- 3.a. Approval of Minutes – Board of Trustees Goals Progress Workshop – March 18, 2002
- 3.b. Approval of Minutes – Board of Trustees Meeting – March 18, 2002
- 8.a. Approval of Personnel Actions
- 8.b. Approval and Final Reading of College Policy #400.08, “Admission to the College”
- 8.c. Approval of Purchase from the Allied Health Care Challenge Grant
- 8.d. Approval of Out-of-Country Travel Request
- 8.e. Approval of Revised Study-Abroad Out-of-District Documentation
- 9.a. Monthly Budget Summary Report (March 2002)
- 9.b. Quarterly DSO Financial Reports

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

3. APPROVAL OF THE OFFICIAL MINUTES OF PREVIOUS MEETINGS:

- a. Minutes – Board of Trustees Goals Progress Workshop – March 18, 2002

Approved – consent agenda.

- b. Minutes – Board of Trustees Meeting – March 18, 2002

Approved – consent agenda.

4. COMMUNICATIONS:

- a. Presentation on the Small Business Development Center – Dr. Kaliszeski/Ms. Peake

Dr. Mike Kaliszeski, Melbourne Campus President, introduced Ms. Vicky Peake, Director of BCC's Small Business Development Center and supervisor of the Melbourne Campus Community and Professional Education Program. Ms. Peake gave a report on the Small Business Development Center.

5. CITIZEN'S PRESENTATION:

- a. Ms. Amy Rieger, President of United Faculty of Florida (UFF)

Ms. Amy Rieger, President of United Faculty of Florida (UFF), reported on some concerns on behalf of the Union Executive Committee, and spoke to the issue of "Academic Freedom."

- b. Mr. Arlan Ropp, Former BCC Instructor

Mr. Arlan Ropp, former BCC instructor, spoke on behalf of faculty and staff members, who are in opposition to the release of Mr. Robert Hatch, from employment at BCC.

c. Mr. Ricardo Rangel, BCC Student

Mr. Ricardo Rangel, BCC student leader on the Melbourne Campus, expressed his support of the athletic programs. Dr. Gamble suggested Mr. Rangel meet with Dr. Judy Bilsky, Associate Vice President of Educational Services, after the Board meeting.

d. Ms. Robin Flynn, Mr. J. J. Curtis, and Mr. Ryan Shanahan, BCC Students

Ms. Robin Flynn, Mr. J. J. Curtis, and Mr. Ryan Shanahan, BCC students, spoke of their support of Mr. Robert Hatch.

6. CONSTRUCTION AND DEVELOPMENT:

a. Approval of Final Plans – WBCC-TV/Administration Building, Cocoa Campus – Mr. Little (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reported the Administration, working with Rood & Zwick Architects, has completed design work on renovations for the WBCC-TV studio and the Administration Building. The two renovations are being combined to save project administration costs. The WBCC-TV renovation includes equipment to facilitate a switch to the digital transmission as required by the federal government. The renovation includes a new production studio and related staging areas. WBCC-TV's presence, in the Roger W. Dobson Building, will be expanded, and space will be included for the Virtual Campus as well as a future conferencing area. The Administration Building renovation features the removal of the sky lights and the installation of a new drop ceiling and lighting for the lobby. Dr. Gamble recommended approval of the final plans for the WBCC-TV and the Administration Building renovations.

Mr. Johnson moved approval of the final plans for the WBCC-TV and the Administration Building renovations. Mr. McCotter seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

b. Approval of Guaranteed Maximum Price – Palm Bay Aquatic Center – Mr. Little (Addendum)

Mr. Little reported the college has worked in cooperation, with Brevard County, Brevard County School Board, and the City of Palm Bay, to negotiate a guaranteed maximum price for the aquatic center in Palm Bay. BCC has worked with Weller Pool Constructors Inc., who is the construction manager for the project. The guaranteed maximum price constitutes the maximum dollars that BCC will spend for the completion of the design project. The guaranteed maximum price for the aquatic center is \$1,578,160, which falls within the budget restraints for the project. Mr. Little reported the continued financial support of Brevard County and the Brevard County Parks and Recreation Department, has allowed this project to continue up to this point. Mr. Little reminded the Board, that BCC has no college funds in this project and that the pool will be completely maintained by the County, except for lawn maintenance. Mr. Little reported that with Board approval, BCC is prepared to commence construction as soon as St. Johns River Water Management District is satisfied with the mitigation. Dr. Gamble recommended approval of the guaranteed maximum price of the Palm Bay Aquatic Center.

Mr. McCotter moved approval of the guaranteed maximum price of the Palm Bay Aquatic Center.
Mr. Johnson seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none.
Motion unanimously approved.

c. Approval of Guaranteed Maximum Price – Bldg. #1, Titusville Campus – Mr. Little (Addendum)

Mr. Little reported, that in February, the Board approved the first amendment for the H. J. High contract, for demolition and roofing work to commence on the Titusville Campus Building #1. He reported on the fire that broke out in Building #1 on the Titusville Campus and reported there was very little damage. BCC has the full cooperation of the contractor's insurer. The guaranteed maximum price for the contract, including work already approved, is \$3,002,024. Mr. Little reported this amendment, after deducting the cost previously approved, totals \$2,372,302. This amount will fall within the budget for the renovation. Dr. Gamble recommended approval of the guaranteed maximum price for the Building #1, Titusville Campus renovation.

Mr. Johnson moved approval of the guaranteed maximum price for the Building #1, Titusville Campus renovation. Dr. Penn Williams seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

d. Approval of Guaranteed Maximum Price – WBCC-TV/Administration Building, Cocoa Campus – Mr. Little – (Addendum)

Mr. Little reported BCC negotiated with A. D. Morgan, the construction manager, to develop a guaranteed maximum price for the WBCC-TV/Administration Building renovations, is \$3,178,309.72, and falls within the BCC budget for the project. Dr. Gamble recommended approval of the guaranteed maximum price for the WBCC-TV and the Administration Building renovations.

Mr. Johnson moved approval of the guaranteed maximum price for the WBCC-TV and the Administration Building renovations. Dr. Penn Williams seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

7. **OLD BUSINESS:**

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

Mr. Joe Matheny, attorney, reported Quality Maintenance and Repair was low bidder on the heating and air conditioning piping boiler room, for the Palm Bay Campus. BCC negotiated a settlement for the Board of Trustees to approve. Mr. Matheny recommended, to the Board, that BCC release \$100,000 of the \$167,664.88 retainage, in full settlement with Surety and the contractor. Dr. Gamble reported he felt this was a fair settlement under the terms of the original agreement and recommended proceeding.

Mr. McCotter moved approval of the release of \$100,000 of the retainage to Quality Maintenance and Repair as final settlement. Mr. Johnson seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

b. Report on Andy Hament, Attorney

Mr. Matheny reported Mr. Andy Hament, attorney, is leaving the firm of Holland & Knight and to join Gray Harris in Melbourne. Mr. Matheny reported as the college Board can hire or terminate any attorney it desires, at any time. BCC is recommending the college continue Mr. Hament as labor attorney to conduct the labor union negotiations and other labor union related matters. Mr. Matheny reported Holland and Knight has conducted a considerable amount of educational programs for BCC and Mr. Hament has committed himself to continue those programs if Holland and Knight discontinues them. Mr. Matheny reported Holland and Knight's contract expires next month. The recommendation is to not terminate the services of Holland and Knight in line with the annual agreement for services. Dr. Gamble reported Mr. Hament is the only local recognized human resources attorney in Brevard County, of any stature. Dr. Gamble reported it would be to BCC's advantage to continue working with Mr. Hament for human resources legal services.

Mr. Johnson moved approval to continue Mr. Hament as the labor attorney for BCC. Dr. Penn Williams asked for qualifiers to be placed on the motion. Mr. Johnson retracted his motion.

Dr. Penn Williams moved approval of engaging Mr. Andy Hament's services, individually, and not the overall services of Gray Harris for human resources purposes, through June 30, 2002. Mr. Johnson seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

Mrs. Martinez suggested that Mr. Matheny prepare a summary of attorney utilization for the Board to review as part of the package for the next Board meeting. She suggested a summary showing how many matters he has covered and how many matters Holland and Knight has covered, the nature of the matters, and the price associated with each. She also suggested including the services that were offered at no cost. Dr. Gamble suggested contacting the attorney firms that applied last time, and Holland and Knight, asking them for their promotional materials. The Board can look at those and decide whether or not to go through a formal RFP process or whether they are satisfied with what has been presented. Dr. Gamble reported he would provide to the Board the old RFP, which will give the details of what was asked for last time, and the current information from each of the firms, including Gray Harris. Mr. Matheny

reported he would provide the Board information as to the number of hours and the funds expended by the college attorneys during the last year.

Mr. Matheny reported the WBCC-TV tower agreements and Cocoa stormwater/sports stadium agreement are all progressing along and should be ready for the Board's consideration at the May 2002 meeting.

8. NEW BUSINESS:

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

Approved – consent agenda.

- b. Approval and Final Reading of College Policy #400.08, “Admission to the College” – Dr. Bilsky (Addendum)

Approved – consent agenda.

- c. Approval of Purchase from the Allied Health Care Challenge Grant – Dr. Fettrow (Addendum)

Approved – consent agenda.

- d. Approval of Out-of-Country Travel Request – Mr. Billings (Addendum)

Approved – consent agenda.

- e. Approval of Revised Study-Abroad Out-of-District Documentation – Dr. Spraggs (Addendum)

Approved – consent agenda.

- f. Request for Board Meeting Agenda Items – Board Members

Dr. Penn Williams asked for a report on the Florida Bright Futures Scholarship Program and the state audit. Mrs. Martinez asked for a report of the outcome of the King Center Workshop.

g. BCC Equity Report – Ms. Oglesby (Addendum)

Ms. Oglesby reported that each year, BCC, along with other institutions of higher learning, provides the State of Florida an equity report. The equity focus for 2001-2002 is the reduction in the race or ethnic gap in Associate of Arts degrees awarded by the community or junior colleges. Ms. Oglesby gave a report of the BCC statistics of the equity report.

Mrs. Martinez reported the Board would like to see a graphical analysis of the salary curves to see the distribution BCC has in all categories.

Dr. Gamble reported the deadline for the equity report is May 1, 2002, and he asked the Board to approve the report with the understanding that there will be some final adjustments. The final report will be provided to the Board.

Mr. Johnson moved approval of the BCC Equity Report. Dr. Penn Williams seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

9. FINANCIAL ACTIONS:

a. Approval of Monthly Budget Summary Report (March 2002) – Mr. Cherry (Addendum)

Approved – consent agenda.

b. Approval of Quarterly DSO Financial Reports – Mr. Cherry (Addendum)

Approved – consent agenda.

c. Approval of Capital Outlay Budget Amendment – 2001-2002 – Mr. Little (Addendum)

Mr. Little reported a proposed amendment for the 2001-2002 Capital Outlay Budget is being presented to the Board for approval. The amendment brings in an additional \$4.8 million in public education capital outlay funding that was originally scheduled to be appropriated in the 2002-2003 fiscal year. The following projects headline the use of these funds: Re-roofing of the Allied Health Building and the UCF Joint-Use Classroom Building on the Cocoa Campus; increasing the scope of work on the Cocoa Campus perimeter renovation by \$500,000; renovation work in the Cocoa Technical

Building (Bldg. #17), to house Allied Health programs; completion of the Titusville renovation, including equipment and limited work in the student services location; district-wide irrigation and planting master plan; and the laboratory renovation in the Melbourne Campus Science Building. Mr. Little reported, that because this replaces BCC's PECO funding for next year, some funds will be reserved for some minor campus projects, as well as district budgets for air conditioning repair and ADA compliance.

Mr. Little reported the Legislature ended their session without final agreement on the budget. He reported they are waiting for the May revenue estimating conference before determining how much money there is to allocate. The District Cabinet is scheduled to meet, in May, to discuss budget priorities. Mr. Little reported the Board Budget Workshop will be held on Monday, May 20, 2002, at 3:00 p.m. Dr. Gamble recommended approval of the 2001-2002 Capital Outlay Budget Amendment.

Mr. Johnson moved approval of the 2001-2002 Capital Outlay Budget Amendment. Mr. McCotter seconded the motion. All those voting in favor of the motion – Johnson, McCotter, Martinez, and Penn Williams; opposed – none. Motion unanimously approved.

10. REPORT OF THE DISTRICT PRESIDENT:

a. Strategic Planning Efforts – Mr. Billings

Dr. Gamble introduced Mr. Frank Billings, Special Assistant to the District President for Institutional Effectiveness and Strategic Management, who reported on BCC's strategic planning efforts. Mr. Billings reported the college administration is responsible for setting the goals and the administrative level employees are responsible for setting the objective strategies. Mr. Billings reported on the implementation schedule. There will be a rough draft of the Strategic Plan available in the Fall. Dr. Gamble reported this will attempt to get BCC in sync with the regular strategic planning effort.

b. Brevard Community College Serves as Test Site for Harris Security Approach for Protecting Computer Network

Dr. Gamble reported commendations should go to Mr. Claude Russo and the computer employees on the Melbourne Campus for their quick willingness to get involved in the testing operation for computer security. The news has been released, which identifies

BCC's involvement in developing a new software technology to provide security from hackers and viruses.

c. BCC Family Picnic

Dr. Gamble reported the BCC Family Picnic is scheduled for April 26, 2002, from 4:00 p.m. until 8:00 p.m., at Fox Lake Park in Titusville. The employee service awards and the STARS awards will be presented in conjunction with the picnic. Dr. Gamble invited the Board to attend.

d. Board Workshop on Policy Governance – April 30 and May 1, 2002

Dr. Gamble reported a special workshop on policy governance has been scheduled for April 30 and May 1, 2002. He reported an Association of Community College Trustees (ACCT) consultant will present information at the workshop.

e. Ribbon Cutting at the New Aerospace Technology Classroom and Lab

Dr. Gamble reported there will be a ribbon cutting on May 3, 2002, at the new Aerospace Technology Classroom and Lab at the BCC Spaceport Center. He reported Congressman Weldon and Florida House Speaker Feeney will be the speakers.

f. Spring Graduation Ceremonies

Dr. Gamble reported Spring graduation is scheduled for Saturday, May 18, 2002, at the King Center for the Performing Arts at 4:00 p.m. and 8:00 p.m. He reported the 4:00 p.m. graduation is for Melbourne and Palm Bay Campus students and the 7:00 p.m. graduation is for Cocoa and Titusville Campus students. The Distinguished Alum, is Senator Bill Posey who will be recognized at the 4:00 p.m. graduation.

g. University of Central Florida Board of Trustees Meeting on the Cocoa Campus

Dr. Gamble reported on Thursday, July 25, 2002, the UCF Board of Trustees will meet on the Cocoa Campus. Dr. Gamble reported once BCC has all of the details, the information will be sent to the BCC Board of Trustees. He announced that prior to the UCF Board meeting, there is an opportunity for BCC to make a brief presentation.

h. Annual Meeting of the American Association of Community Colleges (AACC)

Dr. Gamble reported he will be representing BCC at the Annual Meeting of the American Association of Community Colleges on April 18-23, 2002, in Seattle. He reported he will be presenting a session on BCC's selection as an exemplary center in technical education program in nursing. Dr. Gamble reported he is currently serving as a member of the Commission on Publications and Public Relations of the AACC and will be attending those meetings as well.

i. Board Meeting Calendars for 2002 and 2003

Dr. Gamble reported the Board received handouts, which were the Board meeting calendars for 2001-2002 and 2002-2003.

11. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 6:33 p.m.

APPROVED: _____
Chair, District Board of Trustees

ATTESTED: _____
Secretary, District Board of Trustees