

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

August 9, 2004
4:30 p.m.

King Center for the Performing Arts
Room #168
Melbourne Campus

PRESENT: Mr. James W. Handley, Chair; Mr. C. R. “Rick” McCotter III;
Mrs. Miriam E. Martinez; Mr. James Theriac; Mrs. Alberta K. Wilson;
Mr. Joe D. Matheny, Attorney; Dr. Thomas E. Gamble, Secretary

1. CALL TO ORDER:

Mr. James Handley, Chair, called the meeting to order.

a. Welcome to Mr. James Theriac, New Board Member

Mr. Handley welcomed the newest Trustee, Mr. James Theriac, to the Board and administered the Oath of Office.

b. Pledge of Allegiance

Mr. Handley proposed, with the concurrence of the entire Board, that future meetings would be opened by the recitation of the Pledge of Allegiance.

c. Additions/Corrections to Agenda

Dr. Gamble requested that Item 8.c. – “Approval of Extension to the AM-KO Contract” be removed from the agenda.

2. CONSENT AGENDA:

Mrs. Martinez requested that Items 3.a., “Approval of Minutes – Board of Trustees Workshop Meeting – June 14, 2004,” and 3.b., “Approval of Minutes – Board of Trustees Meeting – June 14, 2004,” be removed from the consent agenda.

Mr. McCotter requested Items 9.a., “Approval of Monthly Budget Status Report, July 2004,” and 9.d., “Approval of Utilization of Funds from the Allied Health Care Challenge Grant,” be removed from the consent agenda.

Mr. Handley recommended approval of the remaining consent agenda items:

8.a. Personnel Actions

8.b. Approval of Transfer of Property for the Aerospace Center

8.d. Approval of the NISOD Membership

- 8.e. Approval of Out-of-Country Travel for Ms. Sandra Lanza
- 9.b. Approval of 2003-2004 General Fund Operating Budget Amendment
- 9.c. Approval of 2003-2004 Capital Outlay Budget Amendment

Mrs. Wilson moved approval of the remaining consent agenda items. Mr. McCotter seconded the motion. All those voting in favor of the motion – Wilson, McCotter, Handley, Martinez and Theriac; opposed – none. Motion unanimously approved.

3. APPROVAL OF OFFICIAL MINUTES OF PREVIOUS MEETINGS:

- a. Minutes – Board of Trustees Workshop Meeting – June 14, 2004
- b. Minutes – Board of Trustees Meeting – June 14, 2004

Mrs. Martinez requested correction to reflect her attendance at both the regular meeting and workshop.

Mrs. Martinez moved approval of the “Minutes – Board of Trustees Workshop Meeting – June 14, 2004,” and “Minutes – Board of Trustees Meeting – June 14, 2004,” as corrected. Mrs. Wilson seconded the motion. All those voting in favor of the motion – Martinez, Wilson, Handley, McCotter, and Theriac; opposed – none. Motion unanimously approved.

4. COMMUNICATIONS:

- a. Report on the Foundation’s Strategic Planning

Mr. Larry Garrison, immediate past Foundation Chairman, stated that he was providing the presentation at the request of the current Chairman, Dick Beagley. He reported that there are currently 55 members on the Foundation Board of Governors representing a great cross section of diverse business leaders across the community, taking an active interest in supporting the mission and objectives of the college. Mr. Garrison reported there were two significant events this past year, namely a full-day board retreat to formulate a strategic plan and Dr. Flom’s retirement, and ultimate recruitment and selection of Dr. Jeff Spoeri as Executive Director. Mr. Garrison introduced Dr. Spoeri to outline the highlights of the Foundation Strategic Plan.

Dr. Spoeri, Foundation Executive Director, reported the Alumni Association is now part of the Foundation and thus incorporated into the plan by reference. He reported the four key areas in the Foundation plan are: (1) campaign planning and preparation; (2) contact with the business community of Brevard, and beyond; (3) integration of the Alumni Association into Foundation activities, and (4) continuation of traditional development activities.

Mr. Spoeri reported that the Foundation will launch a major fundraising campaign in the next 2-3 years to be culminated in 2010, corresponding to the college's 50th anniversary. Mr. Spoeri stated that campaign leaders and consulting firm will be identified and assigned to assist in the campaign efforts and strategy, including the development of a campaign timeline. Mr. Spoeri indicated that there will be an increased focus on contact with the business community to enhance the Foundation's ability to raise funds by expanding the donor base. Mr. Spoeri also reported that the Foundation will be recruiting additional members to the Board of Governors, with a desire to include members of under-represented groups.

Dr. Spoeri reported that the Alumni Association will be fully integrated into the Foundation, which will directly impact fundraising efforts. Ms. Debbie Grollmes, Alumni Specialist, attended the Council for Advancement in Support of Education (CASE) seminar this summer, which included significant information on Alumni Association development. Ms. Grollmes will continue to work on constituent group reunions; development of mentor programs, where alumni volunteer to mentor current students in their area of expertise; and exploring the possibility of publishing an alumni directory.

Dr. Spoeri reported that on-going development activities will continue with the goals of : (1) acquiring two new charitable gift annuities; (2) adding five new scholarships, with two designated for under-represented groups; and (3) organizing a Scholarship Award Reception each semester to allow award recipients and donors to interact. Dr. Spoeri reported that he recently revised the policy for scholarship donations, to concur with IRS regulations, which has been well received and accepted by donors.

b. Report on Minority Recruitment/Retention Strategies

Dr. Don Astrab, Executive Vice President, Academic Services and Chief Learning Officer, introduced the Campus Deans, who are responsible for formulating and implementing the minority recruitment and retention plans. Dr. Astrab also introduced Dr. Jim Heck, Collegewide Dean of Student Services, who reported on the past and future plans to welcome minority constituents. Dr. Heck reported on current minority participation demographics, collegewide and campus based minority recruitment and retention initiatives and future recommendations for efforts to welcome the minority population. Dr. Heck stated that there is a college goal (goal #6) to increase diversity, in which every Unit Manager is asked to record specific strategies to help the college reach the goal of obtaining a more diverse minority population. He reported that although the marketing aspect is handled primarily through the Community Relations and Marketing Department, Student Services is responsible for making human contact on the campuses and the community.

Dr. Heck reported that while Brevard County demographics show a 17.2% minority population, the college student minority population as of Fall 2003 was 18.6% of the First-Time-in-College (FTIC) enrollment (9.3%-black; 6.3%-hispanic; and 3.0-

other). Although these figures met the 2003 goals, the college diversity goals for 2004 are more ambitious. Dr. Astrab reported the college administration is confident that the goals can and will be met. He reported that a Developmental Task Force was formed at Dr. Gamble's direction a year ago, which reviewed best practices in the country and resulted in the creation of eleven Program Coordinators in Developmental Education. Additionally, the addition of a full-time advisor in the Athletic Program; a renewed effort in the Career Centers; and, the recent certification by a senior staff member by the National Center of Developmental Education this summer makes the Administration confident that the college will be in a position to develop programs to improve the college's statistics.

Dr. Heck reported that the statistics for minority "completers" (students who have met their stated goal, i.e. completing their AA, AS degrees, etc.) are not as encouraging. He confirmed that this may be due to many factors, such as minority students who may complete over an extended timeframe rather than normal projected timeframes; transferring to other colleges to complete etc. Dr. Gamble indicated that tracking community college students is difficult due to the variability of the students' circumstances.

Deans LeRoy Darby and Rebecca Ashford reported on the activities and initiatives that have been implemented by the Student Services staff on all campuses. These efforts combined on-campus activities, as well as numerous community outreach efforts, which are vital to the fulfillment of the college's diversity goals.

Dr. Astrab summarized that efforts on individual campuses are difficult to monitor, therefore, a Minority Retention and Recruitment Office, directed by Ms. Teri Jones, will be opened in the near future in order to have a more coordinated effort. In addition, retention efforts will be closely monitored by a Retention Committee to include faculty, advisors and staff. Dr. Gamble reported that he is in the process of contracting with a local minority individual who is well-recognized and respected by the college and community, and will act as the College Ambassador At Large, specifically to engage the region's minority communities and work as an independent agent with the internal staff.

Dr. Gamble indicated that minority faculty recruitment is also a priority and stated that he is happy to report that two new African-American faculty members will join the college this Fall, with the possibility of a third in the near future. Dr. Astrab recognized Dr. Layne's hard work and efforts in coordinating the New Faculty Orientation and Welcome Luncheon, which will be held on August 10.

5. CITIZEN'S PRESENTATION:

None.

6. CONSTRUCTION AND DEVELOPMENT:

- a. Approval of the Five-Year Educational Plant Survey - Mr. Little

Mr. Al Little, Vice President, Finance and Administrative Services, reported that the college is required to complete an Educational Plant Survey every five years, which is used as the basis for the Capital Improvement Program (CIP) report, which funds capital outlay projects from the PECO fund. This survey requires the documentation and use of every square foot of every campus and analysis of our space inventory in light of current enrollment and planned program changes over the five year survey period. Improvements must be recommended in the college five-year plant survey in order to be included in Capital Improvement Plan (CIP). Mr. Little noted that this survey is not an official request for funding; the CIP plan is the official request for capital funding. The state community college staff assembles all 28 CIP reports and creates a system-wide capital outlay budget request. The staff recommends renovation funds for each school, distributing the requests according to the amount of space each school maintains. New construction dollars are difficult to obtain and are based on the needs of other schools. As BCC has a relatively large amount of space per student compared to some other community colleges, PECO funds are not likely to be available for new construction projects, with the exception of a Facilities Enhancement Grant (for matching of non-government fund donation) or Joint Use Requests, which follow a different, process. This report reflects the need for additional space on Cocoa and Palm Bay Campuses with additional lab space needs for Melbourne and Titusville Campuses. Dr. Gamble recommended approval of the Five-Year Educational Plant Survey as presented.

Mrs. Martinez moved approval of the Five-Year Educational Plant Survey. Mr. Theriac seconded the motion. All those voting in favor of the motion – Martinez, Theriac, Handley, McCotter, and Wilson; opposed – none. Motion unanimously approved.

b. Approval of the 2004-2005 Capital Improvement Plan – Mr. Little

Mr. Al Little, Vice President, Finance and Administrative Services, reported that each year the college is required to file a Capital Improvement Plan (CIP). Each year, the college needs are reviewed and the most critical needs are prioritized in the categories of renovation, remodeling and new construction, which comprises the CIP report. Mr. Little indicated that the requests are categorized “General Renovation/Remodeling” to enable the college to apply funding to any building or campus, as needed. Although receiving PECO funds for new construction is unlikely, there are three new construction projects listed in this report, namely: (1) Construction of Health Sciences Building at Cocoa Campus; (2) Support Services Facility at Palm Bay Campus; and (3) Cocoa Village Playhouse. Dr. Gamble recommended approval of the 2004-2005 Capital Improvement Plan.

Mrs. Wilson moved approval of the 2004-2005 Capital Improvement Plan. Mrs. Martinez seconded the motion.

All those voting in favor of the motion –Wilson, Martinez, Handley, McCotter, and Theriac; opposed – none. Motion unanimously approved.

c. Approval of Office of Educational Facilities Project Priority List – Mr. Little

Mr. Al Little, Vice President, Finance and Administrative Services, reported that the Office of Educational Facilities requires that a Project Priority List (PPL) form be filed each year to utilize funds from the capital outlay and debt service funds. He explained the debt service fund is used to support bond issues for the college. Mr. Little explained that although bond issues have not been available since 1997, the form must be updated to reflect the use of the funds. Dr. Gamble recommended approval of the Office of Educational Facilities Project Priority List.

Mrs. Martinez moved approval of the Office of Educational Facilities Project Priority List. Mr. McCotter seconded the motion. All those voting in favor of the motion – Martinez, McCotter, Handley, Theriac and Wilson; opposed – none. Motion unanimously approved.

7. **OLD BUSINESS:**

a. Report on Pending Legal Actions – Mr. Matheny

None.

(1) Approval of President's Contract

Mr. Matheny reported Florida law requires the Board of Trustees to review the President's performance and compensation package. The Board has established an internal process and all of the required steps have been followed. At this time, the Board of Trustees is obliged to review the President's performance, at which time the outcome will be forwarded to the State Department of Education.

Mrs. Martinez moved approval of the amendments to the President's contract to include a 4% increase and an increase in the contract term for an additional one-year period. Mr. McCotter seconded the motion.

Mr. Theriac called for discussion and expressed concern with personally voting as he felt he needed to establish a baseline for Dr. Gamble's performance and as this is his first meeting, it has not been established and as to the extension of the contract, he lives in a world where each client has to be satisfied and each project has to be done to completion. There is no guarantee of anything. He does not live in a world of fixed contracts, although he represents many clients involved with that, it is an alien concept to him. Mr. Theriac indicated that although he liked Dr. Gamble, he wanted to maintain a certain distance knowing there may be some adverse rulings that have to be made some time in the future and did not want to give up that leverage. Mr.

Theriac said regarding the raise, a 4% increment is probably not a lot in this context; however, overhead is something he is concerned with adding up over the years. Therefore, Mr. Theriac voted against the motion.

Mr. Handley indicated from his standpoint he has had questions regarding the contract addendums over the past and knew it provided some security. He questioned the value of the Board approving an addendum every year which rolled the three-year contract into an additional year. Mr. Handley also expressed some concern regarding the salary increases. He understands the faculty will be provided a 4% increase; however, felt the raises to the President over the past few years amounted to a significant amount.

Mrs. Martinez asked Mr. Matheny to report on the research he has done in the past regarding other presidential contracts. She felt although businesses rarely operate under a contract system, that the custom of a roll-over contract for colleges is to help protect the President and the Board. Mr. Matheny reported BCC is in the top 1/2 of the other 27 of the community colleges regarding FTE. Dr. Gamble's salary range is in the bottom 1/3 in comparison of all community college presidents in the State of Florida. Mr. Matheny provided a comparison of five community colleges similar to BCC and without exception those presidents receive substantially more in their total compensation package than Dr. Gamble. Mr. Matheny was not sure if the other community colleges have a roll-over contract; however, in discussions with other college attorneys most of the other colleges have two to three year contracts. At one time, almost all community colleges would have a four year roll-over contract. His impression is that most colleges are doing three year contracts now.

Mrs. Martinez clarified that in the current contract the Board is not bound if the President fails to perform to expectations, so does not see any reason why they would like to get out of the contract unless they did not wish to engage his services, which she did not think was the case. Mr. Matheny reported the Board could terminate the President's contract for cause or could terminate it for the convenience of the Board, in which case the Board would be obliged to pay an amount equal to one year's base pay in 12 equal installments.

Mrs. Wilson indicated as a newer Board member, she would need to feel more comfortable with salary and the contract extension term being presented at the same time.

Mr. Matheny reported the salary and term has always been included in the contract. He has never seen it done any other way; although it could be done in two separate documents in two separate motions. Mr. Matheny discussed the salary increase being proposed to the base pay.

Mrs. Martinez stated when she looks at Dr. Gamble's list of accomplishments and the amount of work that he puts into his job and contributions made, he is deserving of the 4% salary increase.

Mrs. Wilson stated she did not have as much of a problem with the 4% increase as a roll-over contract with the one-year extension. With her service on the Board the past year, she has seen some things done and feels the college is doing well; however, did not understand the value of the roll-over contract.

Mr. Matheny explained the roll-over contract provides the President with the authority and leverage required to operate the college. As a practical matter, with a longer contract, there is more strength.

Mr. McCotter asked what type of contract was utilized initially. Dr. Gamble confirmed it was a three-year contract.

Mr. Matheny reported Dr. DiPatri also received a three-year contract, as Superintendent to the School System.

Mrs. Martinez requested information on requirements for Dr. Gamble to terminate the contract. Mr. Matheny reported the President would provide thirty days' written notice and the Board is entitled to 25% of his annual salary as a penalty.

Mr. Handley called for a vote. Mrs. Wilson expressed concerns and asked why the two issues were being combined, instead of being separated. Mr. Handley said since there was a motion on the floor, it needed to be voted on first.

All those voting in favor of the motion - Martinez and McCotter; opposed - Handley, Theriac, Wilson. Motion failed: 2-3.

Mr. McCotter moved approval to take the contract issue to a workshop to provide for an opportunity for review and revision. Mrs. Wilson seconded the motion.

Mr. Matheny recommended the Board call for a special meeting rather than a workshop so that the Board could take action at that meeting. Mr. McCotter said the Board could take action at the Board meeting following the workshop. Mr. McCotter asked to keep the motion as is. Mr. Matheny stated there was no problem, with State law, with tabling Item 7a.(1) and making it retroactive if needed.

Mr. McCotter clarified the motion to table item 7a.(1) put it as an agenda item for the workshop September 20 and have it on the regular meeting agenda for September 20 for action. Motion died for lack of second.

Mrs. Wilson moved to take action on Dr. Gamble's 4% salary increase and table the contract extension. Mrs. Martinez seconded the motion. All those voting in favor of the motion - Wilson, Martinez, Theriac, Handley; opposed - McCotter. Motion approved: 4-1.

Mrs. Martinez moved approval of the 4% salary increase for this year. Mrs. Wilson seconded the motion. All those voting in favor of the motion - Martinez, Wilson; opposed - Theriac, Handley, McCotter. Motion failed: 3-2.

Mr. McCotter moved approval of the 4% raise and no extension of the contract. Mrs. Wilson seconded the motion. All those voting in favor of the motion - McCotter, Wilson, Martinez; opposed - Theriac, Handley. Motion approved: 3-2.

8. **NEW BUSINESS:**

a. Personnel Actions – Ms. Oglesby

Approved – consent agenda.

- b. Approval of Transfer of Property for the Aerospace Center – Mr. Little

Approved – consent agenda.

- c. Approval of Extension to the AM-KO Contract – Mr. Little

Removed from the agenda at Dr. Gamble's request.

- d. Approval of NISOD Membership – Dr. Astrab

Approved – consent agenda.

- e. Approval of Out-of-Country Travel for Ms. Sandra Lanza – Dr. Ake

Approved – consent agenda.

- f. Request for Board Meeting Agenda Items

The Board requests that the Board Self-Evaluation discussion and the process of the President's evaluation be reviewed at a future meeting.

9. FINANCIAL ACTIONS:

- a. Approval of Monthly Budget Summary Report, July 2004 – Mr. Cherry

Mr. McCotter asked Mr. Mark Cherry, AVP, Financial Services, to explain the negative figure under "Other Sources and Revenue" reflected on the report. Mr. Cherry explained it shows the net result of the accrual activity for the year end and there are several items that accrue revenue which are unpaid as of June 30 due to payment schedules.

Mrs. McCotter moved approval of the Monthly Budget Summary Report, July 2004. Mr. Theriac seconded the motion. All those voting in favor of the motion – McCotter, Theriac, Handley, Martinez and Wilson; opposed – none. Motion unanimously approved.

- b. Approval of 2003-2004 General Fund Operating Budget Amendment – Mr. Little

Approved – consent agenda.

- c. Approval of Capital Outlay Budget Amendment – Mr. Little

Approved – consent agenda.

d. Approval of Utilization of Funds from the Allied Health Care Challenge Grant – Dr. Ake

Mr. McCotter asked Dr. Gamble to clarify the Children's Center lease at Parrish. Dr. Gamble explained that this facility is located on the southern edge of Titusville on U.S. #1, which is owned by Parrish. He stated that the Children's Center has leased this facility from them for four years. Mr. Little confirmed that it is a five-year lease, expiring August 2005. Dr. Gamble recommended approval of Utilization of Funds from the Allied Health Care Challenge Grant.

Mrs. McCotter moved approval of Utilization of Funds from the Allied Health Care Challenge Grant. Mrs. Wilson seconded the motion. All those voting in favor of the motion – McCotter, Wilson, Handley, Martinez and Theriac; opposed – none. Motion unanimously approved.

10. REPORT OF THE PRESIDENT:

a. Approval of Reorganization of the District Board of Trustees

Dr. Gamble reported that the annual reorganization of the Board, to determine new officers for 2004-2005 should be accomplished at this meeting. Accordingly, Dr. Gamble assumed the gavel from Mr. James Handley.

Mrs. Martinez nominated Mrs. Wilson as Chairman and Mr. McCotter as Vice-Chairman. Mr. McCotter seconded the motion. Mrs. Wilson respectfully declined the Chairmanship. Motion was withdrawn.

Mrs. Martinez nominated Mr. McCotter as Chairman and Mrs. Wilson as Vice Chairman. Mrs. Wilson seconded the motion. All those voting in favor of the motion - Martinez, Wilson, McCotter, Handley and Theriac; opposed - none. Motion unanimously approved.

b. Committee Assignments – Board of Trustees

It was the Board's consensus to accept Committee assignments, as follows:

Alumni Association – Mrs. Wilson
Architect Selection – Mrs. Martinez
BCC Foundation – Mr. Theriac
Community Partnership (NAACP) – Mrs. Wilson
Cocoa Village Playhouse – Mr. McCotter
Insurance Committee – Mr. Theriac
King Center – Mrs. Martinez
Planetarium – Mr. Handley

c. Establishment of Criminal Justice Center at the Titusville Campus

Dr. Gamble reported that several programs associated with the Criminal Justice Center have relocated to the Titusville Campus, including the Homeland Security Program, due to proximity to the Port; and the law enforcement academies, in response to the review of the Center last Fall, which indicated the need for additional space. All of the Criminal Justice programs will remain under the authority of Mr. Johnny Perkins as Dean, who will remain on the Melbourne Campus, reporting to Dr. Kaliszkeski. Dr. Gamble reported this change in location has been endorsed by the Criminal Justice Advisory Committee.

d. Florida Today Column

Dr. Gamble stated that he hoped that Trustee's took note of the Florida Today Column, "The community college choice – BCC offers more options to more students," of August 7, which outlined the future direction of the community college.

e. Joint School Board Meeting

Dr. Gamble reported that Wednesday, September 8 is the tentative date for a Joint BCC Board of Trustees and School Board meeting. The meeting is scheduled for 3:00-5:00 p.m. at either the School Board or Cocoa Campus, at the School Board's preference. Trustees will be notified upon confirmation of the meeting details. (The meeting will be postponed until November or December at Dr. DiPatri's request.)

f. Legislative Luncheon Meeting

November 9 or 10 are the proposed dates for the annual Legislative Luncheon Meeting, in which all public education organizations will meet with local delegation to discuss educational needs for the upcoming session. Trustees will be notified as soon as the date is confirmed. (Date confirmed as November 10 – 12:30 p.m., Cocoa Campus.)

g. Faculty Agreement

Dr. Gamble reported that Trustees received the UFF-BCC draft Agreement with their Board packages. Dr. Gamble stated that the faculty will have the opportunity to act on the new contract on August 12. Dr. Gamble stated that he asked the chairman of the negotiation effort, Mr. Jesse Hogg, what the options were for obtaining the Board approval to the agreement in light of the timing of the Board meeting. Mr. Hogg advised that it would be acceptable for Dr. Gamble to obtain the Board's approval by polling the Board by telephone. Therefore, Dr. Gamble will contact the Trustees on Thursday, August 12 or Friday, August 13 to obtain each individual's input regarding the Agreement. The Trustees were provided an opportunity to address questions regarding the Agreement. There were none.

11. COMMITTEE REPORTS:

a. Alumni Association – Mrs. Wilson

No report.

b. BCC Foundation – Mr. Handley

No report.

c. Cocoa Village Playhouse – Mr. McCotter

No report.

d. Insurance Committee – Mr. McCotter

No report.

e. King Center for the Performing Arts – Mrs. Martinez

No report.

f. Planetarium – Mr. Handley

Mr. Handley reported that the Planetarium is working on a fundraising campaign, which involves developing a tile wall in the Planetarium. Mr. Handley further reported that the Planetarium has recently received a grant for an upgrade of the visual presentation facility to enhance the Small Business Conference Center.

12. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 6:45 p.m.

APPROVED: _____

Chair, District Board of Trustees

ATTESTED: _____

Secretary, District Board of Trustees