

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING**

June 18, 2001
4:00 p.m.

Lecture Auditorium, Admin./Gen. Instruction (Bldg. 1)
Palm Bay Campus

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

ABSENT: Mrs. Betts O. Silvermail

1. CALL TO ORDER:

Mr. Johnson called the Board meeting to order.

Dr. Gamble handed out a yellow, revised agenda, which added 7.d., "MRI Quarterly Reports;" 8.h., "Approval of Emergency Policy Revision to #302.03, Employee Leave of Absence;" and 9.h., "Approval of 401(a) Benefit Plan through BENCOR". Mr. Matheny asked that the first line of 7.a., "Old Business", of the May 21, 2001, minutes, be corrected to reflect the name "Ross" instead of "Creel." Dr. Penn Williams asked to place the following items on the regular agenda: 7.a., "Report on Pending Legal Actions" and 8.g.(1), "Approval of DSO Budgets".

2. CONSENT AGENDA:

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

- 3.a. Approval of Minutes – Board of Trustees Meeting – May 21, 2001
- 7.b. Approval of Revision to College Policy #201.02, Expenditures (2nd Reading)
- 7.c. Approval of Revision to College Policy #302.01, Employment at the College (2nd Reading)
- 8.a. Approval of Personnel Actions

3. APPROVAL OF THE OFFICIAL MINUTES OF PREVIOUS MEETING:

- a. Minutes – Board of Trustees Meeting – May 21, 2001

Approved – consent agenda with correction as noted by Mr. Matheny.

4. COMMUNICATIONS:

- a. Report on Joint BCC/School System Projects – Dr. Bilsky (Addendum)

Dr. Bilsky reported on BCC's partnerships with public and private schools in Brevard County. The Districtwide articulation agreement was approved May 22, 2001, with the Brevard County School District. BCC also has articulation agreements with more than one dozen private schools in Brevard County. Students who are taught at home are eligible for these same opportunities. Within the next year, BCC is going to expand opportunities by not only keeping the courses for dual enrollment within the hi

5. CITIZEN'S PRESENTATION:

a. Presentation by UFF/BCC Representatives

Ms. Linda Parrish, President, UFF/BCC, and Ms. Robin Boggs, Chief Negotiator for UFF/BCC, made a presentation to the Board regarding faculty negotiations. Ms. Boggs expressed her appreciation for the collaborative climate that was shown at the past negotiation cycle. Ms. Boggs recognized the team members who were: Dr. Brenda Fettrow; Mr. Walt Gilfilen; Mr. Al Little; and Ms. Joni Oglesby. Ms. Boggs reported the ratified contract from the faculty should be available to bring to the next Board meeting.

6. CONSTRUCTION AND DEVELOPMENT:

a. Approval of Performance Contracting Recommendations – FPL – Mr. Little (Addendum)

Mr. Al Little, Vice President for Finance and Administrative Services, reported last year the Board approved that the college work with Florida Power & Light (FPL) on a performance contracting agreement. FPL has completed the first phase of the agreement, and has prepared a comprehensive performance contracting project that will address all of BCC's critical needs in the HVAC area. FPL has begun to work with BCC's maintenance staff to develop a 10-year capital plan for the HVAC systems, which will allow the college to properly plan and budget for system replacement rather than being faced with large expenditures. The cost of the project will be paid through energy savings of the installed equipment. FPL guarantees the savings at a level to pay the cost of the project over the next ten years. Mr. Little introduced three representatives from FPL who gave a presentation on energy conservation recommendations and benefits for each of the four BCC campuses. Mr. Little stated that BCC will have a capital lease and will enter into an agreement based on the Board's approval. The energy savings will pay for the lease payments. If BCC does not enter into an agreement, this cost will have to come off of the top of the capital outlay money. Mr. Little stated this is an opportunity to bring our HVAC systems up to standards to allow for improved comfort. Mr. Little stated BCC will submit an RFP during the next year to determine the best way to maintain the systems. Dr. Gamble stated that BCC will establish a system that will allow the equipment to be properly maintained. Mr. Little stated that BCC has a schedule of dollars saved in utility costs. If the systems do not generate the utility savings that is projected, FPL will pick up the difference for ten years. Mr. Little stated that in some places, systems will be replaced and in many places the controls will be replaced. The age of the equipment to be replaced will be up to 1989 purchased equipment. Mr. Little reported significant dollars will be needed, over the next ten years, to replace certain other equipment, which will have to come out of PECO dollars. Dr. Gamble recommended approval of the performance contract with Florida Power and Light.

went up on appeal and the Appellate Court affirmed all of the recommendations and all of the decisions of the BCC Board of Trustees, regarding that case, with one exception. The administrative law judge ruled that Mr. Creel had no expectancy of continued employment beyond the 1998-1999 college year. The Appellate Court ruled that the administrative law judge exceeded its authority by making that ruling because that was not an issue that was before the administrative law judge. The BCC Board of Trustees, in adopting the administrative law judge's recommendation, perpetuated that decision. The Appellate Court has approved the BCC Trustees' decision regarding that case in its entirety except for whether or not Mr. Creel had an expectancy of continued employment beyond the school year of 1999. This issue will likely come to the BCC Board of Trustees to determine whether Mr. Creel had an expectancy of continued employment. Mr. Matheny recommended that the members of the BCC District Board of Trustees not discuss this matter with each other or others, to render, at the appropriate time, a full, fair and impartial hearing.

(2) Update on the Sale to MRI

Mr. Matheny reported that the MRI closing is scheduled for July 17, 2001. The buyer has the option, until July 2, 2001, to cancel, which is part of the contract documents. Mr. Matheny has left a message to notify Mr. Todd LaSala, the buyer's attorney, that BCC would like to move up the closing date. The property in and around the college campus in Palm Bay was purchased and acquired by Florida Education and Research Foundation (FERF) in 1993 and 1994, before the college had control of these properties. Mr. Math

Institute, which showed a loss, for the third quarter of \$307,000. BCC will not have to contribute to the loss.

8. NEW BUSINESS:

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

Approved – consent agenda.

- b. Approval of Memorandum of Understanding – BCC/Canaveral Port Authority/Cape Canaveral Volunteer Fire Department – Dr. Fettrow (Addendum)

Dr. Fettrow, Cocoa Campus President, reported on the proposed memorandum of understanding between BCC and the Canaveral Port Authority and the Cape Canaveral Volunteer Fire Department. The MOU will enable BCC to provide fire fighter training at the Cape Canaveral Volunteer Fire Department with state-of-the-art facilities. Through this cooperative agreement, BCC has the potential to become the only state-approved fire fighter training agency and facility in Brevard County. This would be a great benefit to the existing and future fire fighters of Brevard County. Dr. Fettrow stated that at this time, she is not anticipating any cost to BCC. Currently, citizens and fire-fighters of Brevard County have to travel to Mid-Florida Tech, which is northwest of Orlando to receive this type of training. By having this MOU, Brevard County residents would have a local place to train. Dr. Fettrow introduced Tracy Braley, Fire Science Instructor, who has been working closely with the Chief Sargeant of the Cape Canaveral Volunteer Fire Department. Mr. Braley stated the fire training program has already been developed and is in the catalog. Once the training tower is completed, BCC will be able to add the second portion of the Fire Fighter II courses. BCC is currently able to offer Fire Fighter I, but in order to teach Fire Fighter II, BCC needs to become a state-certified training center. Mr. Braley stated that as part of this program, BCC will be developing a curriculum for shipboard fire-fighting for land-based fire-fighters and will be the only community college in the State of Florida to offer this. Dr. Gamble recommended approval of the Memorandum of Understanding with Brevard Community College/Canaveral Port Authority/Cape Canaveral Volunteer Fire Department.

Mr. Handley moved approval of the Memorandum of Understanding – BCC/Canaveral Port Authority/Cape Canaveral Volunteer Fire Department. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

c. Approval of Planetarium Annual Membership Program – Dr. Fettrow
(Addendum)

Dr. Fettrow presented a proposed annual membership structure for the Planetarium. BCC recently became a member of the Association of Science Technology Centers, Inc. This would allow members to qualify for discounts at other ASTC member organizations throughout the country, if approved. Another goal of the program is to generate some additional revenue for the Planetarium and to increase the visibility of the programs and services. Dr. Fettrow publicly thanked Mr. Mark Howard, the Director of the BCC Planetarium. Dr. Gamble recommended the proposed annual membership structure for the BCC Planetarium.

Dr. Penn Williams moved approval of the Planetarium Annual Membership Program. Mr. Handley seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

A discussion was held on the marketing of the program. It has been arranged so that employees of BCC can have this done through payroll deduction.

d. Approval of Discount and Program for Seniors – Dr. Fettrow (Addendum)

Dr. Fettrow stated it is BCC's intent to attract more senior citizens onto the Campuses and reported on a variety of benefits, in the form of discounts to senior citizens. Dr. Gamble recommended approval of the Discount and Program for Seniors.

Mr. Handley moved approval of the Discount and Program for Seniors. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

e. Approval of the Establishment of BCC Alumni Association/First Reading –
Mr. Gilfilen (Addendum)

Mr. Gilfilen stated the Alumni Association Program was launched in July 2000 when BCC brought in Ms. Debbie Grollmes, who works part-time with the Alumni Program as an alumna from the Titusville Campus. Approximately 100,000 people in the area qualify as alumni of BCC. By grouping these individuals together and getting them involved with what BCC is doing as well as support the efforts of the college, BCC

Mr. Handley moved approval of the establishment of the Virtual Campus as BCC's fifth campus. Dr. Penn Williams seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

- g. Direct Support Organizations – Mr. Little
- (1) Approval of DSO Budgets – Mr. Little (Addendum)

h. Approval of Emergency Policy Revision to #302.03, Employee Leave of Absence – Mr. Little (Addendum)

Mr. Little reported with a policy change, it is standard to have two readings of a policy with the approval voted on after the second reading. BCC regulations allow the Board to approve emergency changes in policies, after one reading, when situations require immediate revision. The revision must be done by June 30, 2001. Mr. Little reported formerly, statute restricted college administrators, hired after July 1, 1995, from accruing the same number of sick leave hours eligible for termination pay as administrators hired before July 1, 1995. This year, the legislature changed the statute and instead restricts all administrators from accruing sick leave for termination pay purposes in excess of 60 days. By approving this policy change, the Board can provide the same payout benefit for all administrators regardless of the date of hire. BCC believes the policy change will allow the new regulations to be carried out in the fairest manner. BCC learned of the possibility of this change at the Council of Business Affairs meeting, recently, in a presentation by our former labor attorney, Mike Mattimore. This change will assist a number of BCC administrators who have become employees since 1995. Dr. Gamble recommended approval of the revision to college Policy #302.03.

Mrs. Martinez moved approval of the revision to Policy #302.03, "Employee Leave of Absence."
Dr. Penn Williams seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

9. FINANCIAL ACTIONS:

a. Monthly Budget Status Report – May 2001 – Mr. Cherry (Addendum)

Approved – consent agenda.

b. Approval of General Fund Budget, 2001-2002 & Master Grade/Salary – Mr. Little/Ms. Oglesby (Addendum)

Mr. Little reported the operating budget was discussed at the Board Budget Workshop on Monday, June 11, 2001 and is now being presented to the Board for approval. BCC anticipates total revenues to be \$49,743,083, an increase of 2.8 percent from last year. The total budget expenditures are \$49,740,546 with a percentage increase somewhere to the revenue. The Master Grade/Salary Schedule is also presented to the Board, for approval, as an integral part of this budget. The salary schedule includes a six percent salary increase for all full-time personnel and part-time staff. As requested last week, a one-page summary of significant budget changes was prepared and handed out to the Board.

Dr. Gamble added to the summary that BCC placed a high priority on salary issues. Assuming the sale goes through on the FTRL, the Cabinet will be revisiting the budget and may have some supplements to bring to the Board based upon the availability of funds. Dr. Gamble recommended approval of the General Fund Budget and Master Grade/Salary.

Mrs. Martinez moved approval of the General Fund Budget, 2001-2002 & Master Grade/Salary. Mr. Handley seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

c. Approval of 2001-2002 Fee Schedule – Mr. Little (Addendum)

Mr. Little stated the major component of the fee schedule is the matriculation tuition course fees. The parameters of these fees are set by the legislature. BCC is slightly less than most of Florida's Community Colleges. BCC's current year increase is just over five percent for typical credit courses. The legislature tells BCC where it should be for the course fees. The standard fee can go from ten percent below to ten percent above. If BCC does not charge the students what the legislature says it should, it becomes difficult to go to the legislature to ask for increased funding. Dr. Gamble recommended approval of the 2001-2002 Fee Schedule.

Dr. Penn Williams moved approval of the 2001-2002 Fee Schedule. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

d. Approval of Insurance Broker Services RFP – Mr. Little (Addendum)

Mr. Little reported the Insurance Committee is preparing the request bids for health insurance and other insurances for the 2002 calendar year. A critical piece of the process is identifying a broker to assist the college. BCC's insurance needs are rather complex and BCC needs an expert in this area. The committee issued an RFP and mailed it to over 25 potential agents. The RFP required significant effort to respond and BCC received six responses. The committee spent a great deal of time analyzing and discussing the merits of the responses and completed a reference check. The Insurance Committee recommended First Florida Insurers as the college's insurance broker for health, life, and disability policies. Dr. Gamble recommended approval of First Florida Insurers as the college's insurance broker.

Mr. Handley moved approval of the First Florida Insurers as the college's insurance broker. Dr. Penn Williams seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

- e. Approval of College Memberships – Dr. Gamble (Addendum)

Approved – consent agenda.

- f. Approval of Accounts Receivable Writeoffs – Mr. Little (Addendum)

Approved – consent agenda.

- g. Approval of General Fund Operating Budget Amendment – Mr. Little (Addendum)

Approved – consent agenda.

- h. Approval of 401(a) Benefit Plan through BENCOR – Mr. Little (Addendum)

Mr. Little reported the IRS allows a tax deferral plan called a 401(a). This plan allows employees, typically retiring employees, to defer termination payouts for tax purposes. In order to implement this program, the college must choose an appropriate provider. BENCOR is the only provider offering these services to Florida community colleges that currently has an IRS letter of determination for plan qualification. There are 13 Florida community colleges that have a contract with BENCOR with an additional eight that are in final contract negotiations with BENCOR. Based on these facts, BCC is recommending BENCOR as provider of the BCC 401(a) plan. Dr. Gamble recommended approval of the 401(a) benefit plan through BENCOR.

Mrs. Martinez made a motion to approve BENCOR as the provider of the 401(a) benefit plan. Mr. Handley seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

10. REPORT OF THE DISTRICT PRESIDENT:

a. Reorganization of the District Board of Trustees and College Committee Assignments

Dr. Penn Williams made a motion to postpone the committee assignments and reorganization of the Board of Trustees to the July meeting based on the fact that a new Board member will be on board in July. Mrs. Martinez seconded the motion. All those voting in favor of the motion – Handley, Martinez, Penn Williams, Johnson; opposed – none. Motion unanimously approved.

b. AACC/DOL Workforce Development Award

Dr. Gamble stated the college has been selected to receive the 2001 American Association of Community Colleges/Department of Labor Workforce Development Award.

c. Faculty Negotiations

The Board has heard about the faculty negotiations being successfully concluded and is just waiting on endorsement.

d. Scholarship Books

The Board received the 2001-2002 scholarship booklets. There are a number of real improvements and Dr. Gamble urged the Board to look at it.

e. College Flag

Dr. Gamble presented the new college flag.

11. ADJOURNMENT:

There being no further business to come before the Board, the meeting adjourned at 7:15 p.m.

APPROVED: _____
Chairman, District Board of Trustees

ATTESTED: _____
Secretary, District Board of Trustees