

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**June 14, 2023
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, June 14, 2023 in the Student Center (H202/203). A virtual option to participate was provided. Participating in person were: Trustees Tom Lynch, Vice Chair; Ellis Barber; Gary Fearnow; and Myrna Whitworth. Trustees Carolyn Kimberlin, Theodore Luck, and Dr. John Molesworth were unable to attend.

Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Edmund O'Meally, PK Law, College legal counsel; Avis Boyd, Chief of Staff to the President; Jerry Boyd, Special Assistant to the President for Institutional Effectiveness; Dr. Maryrose Eannace, Interim Provost/Executive Vice President (EVP) for Academic Affairs, Continuing Education, and Workforce Development (AAEWD); Lewis Godwin, Chief of Operations (COO); Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Dr. Benita Rashaw, Interim Vice President (VP) for Student Affairs; Adam Reno, Interim Chief Information Officer (CIO); Amy Stake, Interim VP for Finance; Debra Ellis, Treasurer, Faculty Association (FA); Dr. Molly Carlson, Associate Vice President (AVP) for Continuing Education and Workforce Development; Dr. Vell Lyles, AVP for Strategic Enrollment and Innovation; Nichole Pollard, Interim AVP for Student Success; Dr. Brian Stipelman, AVP for Academic Affairs/Dean of Liberal Arts; Jeanni Winston-Muir, Interim AVP for Student Affairs; John Anzinger, Director of Capital Planning and Project Management; Fred Hockenberry, Executive Director of Auxiliaries, Procurement and Special Projects; MJ Hermes, Senior Vice President, McGriff Insurance Services; Dr. April

Miller, Maryland State Delegate and former Trustee; Theresa Dorsey, Administrative Coordinator, President's Office; and Kari Melvin, Recording Secretary.

Participating virtually were Janice Spiegel, Special Projects Manager/Budget Office Frederick County Government; Marie Billie, Interim VP for Human Resources; Sheri Bailey, Support Staff Association (SSA) Executive; Dr. Kevin Martin, Administrative Staff Association (ASA) Executive; Corwin Parker, Incoming Chair, College Senate; Robin Shusko, Vice Chair, College Senate; Karen Santelli, Secretary, College Senate; Pamela Murphy, Labor Relations Specialist; and other guests.

CALL TO ORDER

The meeting was chaired by Vice Chair Lynch in the absence of Chair Kimberlin. The meeting was called to order by Vice Chair Lynch at 4:32 p.m. He asked everyone to keep Chair Kimberlin in their thoughts as she is under the weather.

ESTABLISHMENT OF QUORUM

President Cheek confirmed the presence of a quorum of the Board.

APPROVAL OF MINUTES

Vice Chair Lynch called for approval of the minutes of the May 24, 2023 regular meeting.

On a motion made by Trustee Fearnow and seconded by Trustee Barber, the Board approved the May 24, 2023 regular meeting minutes 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

RESOLUTIONS OF APPRECIATION

On behalf of the Board of Trustees, Vice Chair Lynch thanked Dr. April Miller, Ellis Barber, and Gary Fearnow for their dedicated service as Trustees. The terms for Trustees Barber and Fearnow expire on June 30. Dr. Miller left earlier this year after her

election to the Maryland House of Delegates. Dr. Miller served from 2019 to 2023, Trustee Barber served from 2018 to 2023, and Trustee Fearnow served from 2013 to 2017 and then again from 2018 to 2023. Vice Chair Lynch presented each of them a crystal trophy in recognition of their years of service and a resolution of appreciation signed by Chair Kimberlin and President Cheek.

PRESIDENT'S REPORT

There was no report this month.

CONSENT ITEMS

Pursuant to the Board of Trustees Bylaws, the Board may make one motion and hold one vote for all items designated as consent items on the monthly Board agendas. Any Board member, who for any reason, wants to discuss an item or needs to recuse themselves from voting on an item, may remove the item from the consent list and it will be dealt with as a regular action item. The following items were submitted as consent items and distributed to the Trustees in their meeting packet:

- Approval of Piggyback Contract with Daly Computers for HP Managed Print Services Contract Extension; Piggyback of the Virginia Information Technology Agency (VITA) Contract #VA-191121-DALY, Printing Devices and Managed Print Services, for HP Managed Print Services**
- Approval of Piggyback Contract with Dell Inc., for 75 Dell Optiplex Micro PCs, and 24 Dell monitors, in the amount of \$79,357.68; Piggyback of the Maryland Education Enterprise Consortium (MEEC) Contract #UMD-972016**

Vice Chair Lynch asked if any Board member wanted to remove an item from consent. Hearing none, he asked for a motion for approval.

On a motion made by Trustee Barber and seconded by Trustee Whitworth, the Board approved the consent items 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

INFORMATION/DISCUSSION ITEMS

FCC Foundation, Inc. Annual Report – Executive Director Powell presented this item. The FCC Foundation, Inc. Board of Directors has 17 members this year. The current value of the endowment is \$19,942,633.13. The Foundation is currently at 98% of its fundraising goal of \$700,000 for FY 2023 and anticipates meeting the goal by the end of June. Individual giving under \$5,000 is 24% of donations, individual gifts over \$5,000 is 35%, businesses are at 19%, and grants account for 22%. Scholarship awards for FY 2023 to-date total \$927,105 and include \$803,970 in credit scholarships, \$98,030 in continuing education and workforce development scholarships, and \$25,105 in emergency assistance. Events highlighted included the Donor Scholar Reception where Dr. Sonja Sperlich received the Eagle Award, the 27th Annual FCC Golf Tournament that raised \$50,000 for scholarships and emergency assistance grants, and Aspire 2023 that raised \$50,903 for scholarships and food pantry supplies. A copy of the presentation is available from the President’s Office.

This item was presented for information only – no action was taken or requested.

ACTION ITEMS

Board Nominating Committee Report and Election of Board Officers – The Board Nominating Committee, comprised of Trustees Barber and Molesworth, submitted the following slate of officers for the FCC Board of Trustees for FY 2024: Carolyn Kimberlin, Chair, and Tom Lynch, Vice Chair. The Nominating Committee members contacted the nominees and each expressed a willingness to serve in these positions, if elected. President

Cheek asked if there were additional nominations from the floor. There being none, she declared that nominations were closed and called for a motion.

On a motion made by Trustee Whitworth and seconded by Trustee Fearnow, the Board approved 4-0-3 the election of Carolyn Kimberlin as Chair and Tom Lynch as Vice Chair of the Board of Trustees of Frederick Community College for FY 2024, with Trustees Kimberlin, Luck, and Molesworth absent.

Appointment of Trustee Liaison to the FCC Foundation, Inc. Board of Directors – Vice Chair Lynch asked for a motion to appoint Myrna Whitworth as the Trustee Liaison to the FCC Foundation, Inc. Board of Directors.

On a motion made by Trustee Barber and seconded by Trustee Fearnow, the Board approved 4-0-3 the appointment of Myrna Whitworth as the Trustee Liaison to the FCC Foundation, Inc. Board of Directors, with Trustees Kimberlin, Luck, and Molesworth absent.

Schedule of Board Meetings for 2024 – Vice Chair Lynch presented this item. The proposed calendar was developed based on the Board's recurring schedule of the third Wednesday of every month (excluding July and December). The following changes to the regular schedule were made: the January meeting was moved to the fourth Wednesday because Convocation occurs the third week of January; the May meeting was moved to the fourth Wednesday because Commencement and several end of year ceremonies occur the third week of May; and the June meeting was moved to the second Wednesday because the third Wednesday is Juneteenth. The meeting dates for 2024 are: January 24, February 21, March 20, April 17, May 22, June 12, August 21, September 18, October 16, and November 20. All meetings will begin at 4:30 p.m.

On a motion made by Trustee Fearnow and seconded by Trustee Barber, the Board approved the 2024 Schedule of Board Meetings 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of Revisions to the Board of Trustees Bylaws – Vice Chair Lynch presented this item. The Board discussed proposed revisions at the last meeting. The version presented this evening incorporates all feedback.

On a motion made by Trustee Whitworth and seconded by Trustee Fearnow, the Board approved the revisions to the Bylaws 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of Renewal Premiums – Property Coverage to Affiliated FM, Casualty Insurance to Utica National, Cyber Insurance to Tokio Marine, and International Insurance to ACE in the total amount of \$344,231 for FY 2024 – Interim VP Stake presented this item. Based on quotes received and negotiated by McGriff Insurance Services, the most favorable rates continue to be from the current carriers: Affiliated FM (AFM) for property coverage, Utica National for casualty coverage, Tokio Marine for cyber coverage and ACE for international coverage. For property, casualty and international insurance, the number of current and past claims influence the premium rates. The increase in the cyber rate is driven by the cyber industry, claims frequency, and vulnerabilities this industry faces with ever-increasing cyber-attacks. The increase in AFM and Utica premiums reflects a market price adjustment.

The estimated premium for property insurance is \$125,204. The estimated premium for casualty insurance is \$204,883. The estimated premium for cyber insurance is \$11,644. The estimated premium for international insurance is \$2,500. The combined total of

\$344,231 represents an 11.8% increase over FY 2023 (net of commission). The FY 2024 College operating budget includes funding for this insurance.

On a motion made by Trustee Barber and seconded by Trustee Fearnow, the Board approved the renewal premiums 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of FY 2024 Operating Budget, Capital Budget, and Salary/Wage Scales –
Interim VP Stake presented this item. The FY 2024 proposed operating budget of \$66,786,155, represents an increase of \$4,312,545 or 6.9% from the FY 2023 budget. Also included is the County approved Capital budget and Supplemental Facilities Renewal Funding from the State for FY 2024 that totals \$3,990,000.

In keeping with the goal to keep College affordable for our students, the Board of Trustees approved no increase to tuition for FY 2024. Tuition remains at \$129/credit for in-county tuition, \$282/credit for out-of-county tuition, and \$382/credit for out-of-state tuition. The consolidated service fee remains unchanged at \$26.00/credit and the student activity fee also remains at \$3.34/credit in FY 2024.

Revenues are projected to total \$66,786,155 from all sources and include: \$16,768,889 in tuition and fees; \$21,499,828 in State funding (includes retirement contribution); \$24,255,452 (cash) and \$480,393 (in-kind) in County funding; and \$3,781,593 in other income.

Expenditures increased by \$4,312,545 or 6.9% from the FY 2023 budget. The FY 2024 budget includes a 5% cost of living adjustment (COLA) increase for all employees.

The capital budget of \$3,990,000 includes funding for Facilities Renewal, Classroom Technology Upgrades, Technology Upgrades, FCC Systemics, and Plant Operations Building replacement/upgrades.

On a motion made by Trustee Fearnow and seconded by Trustee Whitworth, the Board approved the FY 2024 operating budget of \$66,786,155, capital budget of \$3,990,000, and salary/wage scales 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of FY 2024 Auxiliary Enterprise Budgets – Interim VP Stake presented this item. Frederick Community College Auxiliary Enterprises for FY 2024 include the Bookstore, the Carl & Norma Miller Children’s Center, and the College dining services that are managed by Canteen. These business-type activities generate revenue from sales and provide services to the College. The College is providing a subsidy to balance the Auxiliary Enterprise budgets. Each of the auxiliary’s budgets includes a contribution to the College that represents the indirect expenses incurred for related plant/facilities and personnel costs that are not directly expensed to these enterprises.

This budgeted expense varied in previous years. This year the College worked with its auditing firm to develop a preliminary indirect cost calculation that better reflects these actual costs. The College will work to finalize this calculation in FY 2024 for inclusion in the FY 2025 budget after review with the incoming Vice President for Finance and Administration. During this interim period, the indirect expense reflected in the FY 2024 auxiliary budgets is based on the average budgeted expenses for the past five years (for each auxiliary operation).

The Bookstore’s FY 2024 budget reflects a slight increase in revenue (without the College subsidy) based on FY 2023 actual revenue and anticipated FY 2024 enrollment. The increase in expenditures for compensation is due to the addition of a part-time employee as well as COLA increases. Year-over-year increases of digital course materials sales continue to cause an overall decline in revenue, with narrower margins while expenses

continue to rise. Included in this budget is an indirect cost transfer of \$81,000. The FY 2024 Bookstore budget however, reflects a balanced budget due to the College subsidy of \$80,710.

The Children's Center FY 2024 budget is based on full enrollment of 80 students with no rate increases. Of the \$250,000 FY 2023 contribution from Frederick County to subsidize the Center's fees for student parents, the County approved for any of these unused funds to be rolled over to subsequent fiscal years. \$130,000 is projected to remain and is included in revenue for FY 2024. The increase in Classroom Expenses in compensation from \$503,170 from to \$851,500 is due to COLA increases and the addition of two assistant teachers to provide needed support to the Children's Center staff. Included in this budget is an indirect cost transfer of \$81,000. The FY 2024 Children's Center budget however, reflects a balanced budget due to the College subsidy of \$102,026.

The Dining Services FY 2024 budget includes vending commission and the service contract with Canteen for the Cougar Café, catering, and the coffee shop. There is a slight increase in revenue. However, the Cost of Goods Sold and compensation expenses are increasing due to the addition of the coffee shop. Included in this budget is an indirect cost transfer of \$85,000. The FY 2024 Dining Services budget however, reflects a balanced budget due to the College subsidy of \$365,123.

There was discussion regarding the importance of the College subsidizing these services for students, employees, and visitors.

On a motion made by Trustee Whitworth and seconded by Trustee Fearnow, the Board approved the FY 2024 auxiliary enterprise budgets 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of Frederick Community College Facilities Master Plan 10-Year Update

(2023 – 2033) – COO Godwin presented this item. This was presented to the Board of Trustees for information at their last meeting. The 10-year Facilities Master Plan was developed by performing a comprehensive review and evaluation of existing facilities, including current and future use of space; a review of technology and its role in academic instruction and administrative initiatives; an identification of current and anticipated program needs, including continuing education and workforce development; and an environmental scan including enrollment trends and demographic data. The process included interviews with key staff, faculty, and students, workshops, data gathering both within and outside the institution, surveys, community forums, focus groups, team meetings, progress reports, and presentations.

As documented in the 10-year Facilities Master Plan, the College’s needs for improving its facilities are significant. Approximately a dozen projects merited consideration for inclusion in this study. All of these projects address current and future needs of the College, and all will improve FCC’s operations, delivery of programs, and ability to respond to the needs of the community served by the College. The estimated size of these buildings, as well as a more informed narrative of the functions to be included in each, will be developed in the programming phase for each project.

On a motion made by Trustee Barber and seconded by Trustee Whitworth, the Board approved the Frederick Community College Facilities Master Plan 10-Year Update (2023-2033) 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of FY 2024 Contract Renewal – Wolf’s Bus Lines for Charter Bus

Transportation Service – COO Godwin presented this item. On June 16, 2021, the Board approved the recommendation to award RFP #21-OP-01 for Charter Bus Transportation

Service to Wolf's Bus Lines, Inc. in an amount not to exceed \$75,000, for the initial contract term of one year, from July 1, 2021 through June 30, 2022, and up to four additional one-year renewal options under the same terms and conditions, and as long as funds are available for this purpose. The contract provides charter bus transportation services for: the College athletic teams; local or regional student sponsored trips; local or regional trips for the Institute for Learning in Retirement (ILR) program participants; academic trips in support of credit or non-credit classes and trips; and for transportation needed for administrative purposes.

The FY 2024 rates are the same for 38 passenger and 54 passenger bus rentals (per mile); however, the Minimum Charge has increased slightly, from \$890 to \$1,045 for a 38-passenger bus; and from \$1,150 to \$1,245 for a 54-passenger bus.

This request is to renew the contract with Wolf's Bus Lines, Inc. for FY 2024 (July 1, 2023 through June 30, 2024). They have been very responsive to the College's charter bus service needs and in compliance with contract requirements.

Funds are available in the Rentals and Leases budgets of the authorized budget approvers for transportation requests, as per the College Travel & Transportation Policy.

On a motion made by Trustee Fearnow and seconded by Trustee Barber, the Board approved the renewal with Wolf's Bus Lines 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of Revised Use of Facilities Fee Schedules – COO Godwin presented this item. The primary use of Frederick Community College facilities is in support of College instruction. Members of the College faculty, staff, and student body may request non-instructional use of College facilities for College activities/business when they are not in use for College instruction. College facilities are also available for Public/Community (refers to

individuals, organizations, associations, or businesses not affiliated with Frederick Community College) use which they pay for based on the College Use of Facilities Fee Schedules. The fee schedules are established and approved by the FCC Board of Trustees.

In a recent review by the College of the facilities rentals, the College determined that the fee schedules for FY 2024 need to be increased to account for rising operating costs and to remain aligned with what other Maryland community colleges are charging for these same services. The proposed fee increases are approximately: 5% for classrooms, meeting rooms, athletic facilities, and for technical support; 10% for the JBK Theater; and 0% for the Studio Theater.

On a motion made by Trustee Whitworth and seconded by Trustee Fearnow, the Board approved the revised Use of Facilities Fee Schedules 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

Approval of Sole Source Procurement from Ellucian for CampusLogic Platform Financial Aid Software in the amount of \$96,988 – Interim VP Rashaw presented this item. The CampusLogic platform is a Student Financial Services platform used to personalize student financial success while streamlining required processes in accordance with the FAFSA Simplification Act of 2020, the Maryland House Bill 923, and the response to the external review of Frederick Community College’s administration of Federal Financial Aid conducted by Blue Icon; a subsidiary of National Association for Student Financial Aid Administrators (NASFAA).

The FAFSA Simplification Act modified the Federal Need Analysis and now requires higher education institutions to publicly disclose that students applying for financial aid and experiencing extenuating family and/or financial circumstances may pursue adjustments to their financial aid package.

The Maryland House Bill 923 overhauls and transfers to Community Colleges the administration of State Aid programs, adding two additional auditable programs to the College's responsibility (Guaranteed Access Grant and Maryland Promise Scholarship). It also requires colleges to provide Financial Aid Award Notifications informing students about their eligibility for the Guaranteed Access and Educational Assistance Grants.

The external review conducted by Blue Icon offered several recommendations related to operations, process improvement, and the use of technology.

Ellucian-CampusLogic product is best suited to provide a technology solution that is compatible with FCC's PeopleSoft ERP, adequately addresses state and federal requirements, and offers tools that support a more personalized student experience.

The proposed award amount of \$96,988 for this project is available from the FY 2023 Budget. The initial amount includes a fixed fee for technical support and set up. Subsequent annual renewal cost will not include the fixed fee.

On a motion made by Trustee Barber and seconded by Trustee Fearnow, the Board approved the sole source procurement from Ellucian 4-0-3, as presented, with Trustees Kimberlin, Luck, and Molesworth absent.

TRUSTEE COMMENTS

Vice Chair Lynch thanked Dr. April Miller, Ellis Barber, and Gary Fearnow again for the enormity of their investment of time and energy. He added that they have done a tremendous service to the College.

CLOSED SESSION

At 5:46 p.m., the motion was made by Trustee Fearnow to convene in closed session. The motion was seconded by Trustee Whitworth and approved 4-0-3 by the Board, with Trustees Kimberlin, Luck, and Molesworth absent.

This action was taken in accordance with Maryland’s Open Meetings Act, Section 3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; Section 3-305(b)(7) to consult with counsel to obtain legal advice; Section 3-305(b)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations; and Section 3-305(b)(13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter. Attending in person were: Trustees Tom Lynch, Vice Chair; Ellis Barber; Gary Fearnow; and Myrna Whitworth. Also attending in person was President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Edmund O’Meally, PK Law, College legal counsel; Avis Boyd, Chief of Staff to the President; and Kari Melvin, Recording Secretary.

Participating virtually was Pamela Murphy, Labor Relations Specialist.

The evaluation of the President will be discussed at a future closed session when all Trustees can participate.

The closed session minutes from May 24, 2023 will be reviewed and approved at a future closed session.

The Board obtained legal advice on matters related to potential unionization and collective bargaining strategy and potential positions. No action was taken.

On a motion made by Trustee Fearnow and seconded by Trustee Whitworth, the Board approved to adjourn the meeting 4-0-3 at 6:24 p.m., with Trustees Kimberlin, Luck, and Molesworth absent.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, August 16, 2023.

Dr. Annesa Payne Cheek

Secretary/Treasurer

**Prepared by Kari Melvin
Office of the President
Frederick Community College**