

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**June 11, 2025
Regular Meeting**

The Board of Trustees of Frederick Community College met in **regular session** on Wednesday, June 11, 2025 in the Conference Center (E126AB). A virtual option to participate was provided. Participating in person were: Trustees Theodore Luck, Chair; Tom Lynch, Vice Chair; Tracey McPherson; Dr. William Reid; and Myrna Whitworth. Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; and Adam Konstas, PK Law, College legal counsel.

Participating virtually were Trustees Jan H. Gardner and Carolyn Kimberlin; and Dr. Daniel Phelan, Consultant.

CALL TO ORDER

The meeting was called to order by Chair Luck at 4:30 p.m.

APPROVAL OF MINUTES

Chair Luck called for approval of the minutes of the April 23, 2025 regular meeting.

On a motion made by Vice Chair Lynch, the Board unanimously approved the April 23, 2025 regular meeting minutes, as presented.

**APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FREDERICK
COMMUNITY COLLEGE BOARD OF TRUSTEES AND UNITED ACADEMICS OF
MARYLAND-AFT-AAUP, FREDERICK COMMUNITY COLLEGE (UAMD-FCC)**

Chair Luck invited Pamela Murphy, FCC Labor Relations Specialist and appointed Chief Negotiator for the Board of Trustees, to offer comments. Ms. Murphy noted that the

College's full-time faculty voted to unionize in August 2023. As a result of this action, the College and the Union have been actively engaged in collective bargaining negotiations for the past 19 months. Ms. Murphy then introduced the members of the bargaining teams. Representing UAMD-FCC: Lindsey Blankenbaker, J.D., Chief Negotiator; Labrina Hopkins, AFT Maryland; Teresa Clark, Associate Professor; Dr. Greg Coldren, Professor; Susan Johnson, Professor; Ana Maria Pinzon, Associate Professor; and Dr. Leslie Puzio, Associate Professor. Representing the Board of Trustees: Pamela Murphy, Chief Negotiator; Scott McVicker, Chief Financial Officer and Vice President for Administration; Diana Oliver, Human Resources Manager; and Dr. Brian Stipelman, Dean of Liberal Arts.

Ms. Murphy stated that after hundreds of hours of meetings, numerous proposals and counterproposals, she is pleased to confirm an agreement has been reached and ratified by the union.

Chair Luck extended a sincere thank you to Ms. Murphy and members of the FCC negotiations team, for all of their expertise, hard work, commitment, and professionalism on behalf of the Board. He also expressed appreciation to members of both negotiations teams for reaching an agreement.

On a motion made by Trustee Whitworth, the Board unanimously approved the Collective Bargaining Agreement between the Frederick Community College Board of Trustees and UAMD-FCC, as presented.

The members of the bargaining team then executed the approved agreement.

BOARD & CEO COMMENTS

Chair Luck expressed his great honor of having participated in FCC's commencement ceremony for the Class of 2025. He thanked President Cheek and FCC employees for helping students obtain the education, workforce preparation, skills, abilities and personal growth necessary to succeed in an increasingly interconnected world, at a cost that demonstrates the prudent use of the College's available resources. Chair Luck then announced this is Vice Chair Lynch's last meeting as his term ends on June 30, 2025. Vice Chair Lynch was appointed to the Board in 2017 and has served as Vice Chair from 2019-2021, then Chair from 2021-2022, and again Vice Chair from 2022-2025. Chair Luck expressed appreciation to Vice Chair Lynch, noting there is no greater champion of the College. The Chair then presented him with a Governor's Citation and a crystal trophy in recognition of his years of service. Other Trustees offered gratitude as did Vice Chair Lynch in his farewell remarks.

President Cheek expressed her heartfelt appreciation to Vice Chair Lynch for his service and thanked him on behalf of the entire College. President Cheek then commented that this year's commencement was an amazing experience and shared some statistics on the graduating class. She thanked Trustees for their presence and continual support of FCC students during all of the end of year celebrations. President Cheek then introduced Dr. Ed Cabellon, who is serving as the Interim Vice President for Student Experience through June 30, 2027. She thanked Nichole Pollard for having served as Interim Vice President for Student Experience until Dr. Cabellon's arrival.

CONSENT AGENDA

Items V.C, and V.G were removed from the consent agenda.

On a motion made by Trustee Reid, the Board unanimously approved the following items, as presented:

- Renewal of Property, Casualty, Cyber, and International Insurance
- Renewal of Wolf's Bus Lines Contract
- Piggyback Contract with Technolutions, Inc. for the Slate Platform
- Substantial Modification to Information Technology Specialist Area of Concentration with the STEM Technology A.A.S. Degree
- Substantial Modification to Information Security and Assurance Certificate
- Piggyback contract with Astute Business Solutions for PeopleSoft Oracle Cloud Licensing
- Piggyback contract with Bell Techlogix for Microsoft Licensing

ACTION ITEMS REMOVED FROM CONSENT

Approval of 2025-2026 Diversity, Equity, Inclusion, and Belonging Plan as required by the Maryland Higher Education Commission (MHEC) – Interest was expressed to better understand if any interplay based on federal legislative orders impacted the planned activities. President Cheek noted that while the federal landscape is still taking shape, FCC is required to follow MHEC guidelines and remains committed from a mission perspective and continues to stay informed via legal consult. She invited Dr. Anne Davis, Provost and Vice President of Teaching, Learning and Student Success, and Dr. Bridgette Cofield, Vice President for Talent and Culture, to offer comments. Dr. Davis

noted while a one-year bridge plan was proposed last year, a second one-year plan is merited to foster a continuation of initiatives that encompass prior year learning. This will integrate institutional components that serve all students for equitable outcomes.

Approval of Award of RFP #25-FD-01 for Consulting Services for FCC Foundation

Feasibility Study to Bentz, Whaley, Flessner and Associates, Inc. – Interest was expressed to understand the rationale and direction to the consultant. Greg Enloe, Director of Development and Executive Director for the Foundation stated that in an effort to better meet the needs, the consultant will work with internal and external stakeholders to gauge the philanthropic potential for establishing a capital endowment as well as restricted and nonrestricted fund capacities, then identify priorities and timing. President Cheek added this effort will be a strategic and aggressive effort to help move the College forward. Trustee Whitworth acknowledged the substantial aspect of this strategic approach.

On a motion made by Vice Chair Lynch, the Board unanimously approved the 2025-2026 Diversity, Equity, Inclusion, and Belonging Plan and approved the award of RFP #25-FD-01 for Consulting Services for FCC Foundation Feasibility Study to Bentz, Whaley, Flessner and Associates, Inc.

INFORMATION/DISCUSSION ITEMS

Ownership Linkage – Chair Luck overviewed the components of the Board's FY26 Ownership Linkage Plan that have been developed over the past few months. In February and March, questions were developed to be used when engaging with Owners during Year One of the Board's Ownership Linkage Plan. In April, the Board decided on the following

organizations to engage in FY26: Frederick County Chamber of Commerce; Frederick Health; the Asian American Center of Frederick, Ausherman Family Foundation, Community Foundation of Frederick County, and Delaplaine Foundation to meet with collectively in FY26; and the Frederick Innovative Technology Center, Inc. (also known as FITCI), Tech Frederick, and the Maryland Tech Council to meet with collectively in FY26. The Board also agreed that in-person interactions were the preferred way to engage in ownership linkage engagements with these particular groups.

Chair Luck led a discussion for the timing of each engagement during FY26. The Trustees addressed various options and solicited the feedback of Dr. Daniel Phelan, Consultant, as to the process of his Board. It was decided to contact organizations to first note the intention of the contact and an interest to be flexible and adaptable to their schedule. Continued focus on the purpose of the engagement and respect to coordinate schedules is key to hopefully avoid any declined invitations.

The final Ownership Linkage Plan for FY26 will be reviewed and approved at the July Board Retreat.

Fiscal YTD Financial Report through March 31, 2025 – Scott McVicker, Chief Financial Officer (CFO) and Vice President for Administration, went through the report in detail with the Board.

MONITORING BOARD PERFORMANCE:

Board Policy Survey Review: GP-3 Board Code of Conduct – Chair Luck reported on the results of this survey and made clarifying comments for item 8. He noted that prior to Board meetings, the Chair and Vice Chair meet with the President to carefully screen

agenda contents for compliance with GP-7, Board Planning Cycle and Agenda Control. He continued, acknowledging that per Policy Governance®, the agenda is to address Board governance matters and focus on strategy versus the management of College operations. Consent agenda questions may be posed to the president but otherwise, all agenda items are to address one of the four Policy Governance® quadrants, namely Board CEO Delegation, Governance Process, Ends or Executive Limitations.

Board Policy Review: BCD-5 President Succession – This policy was reviewed at the last meeting and a question was raised about the length of a short-term absence. President Cheek shared the information provided by Dr. Bridgette Cofield, Vice President for Talent and Culture. Dr. Cofield’s research resulted in the recommendation that the Board maintain the existing language regarding short-term leave, stating “...policy governance outlines the board’s responsibilities in relation to the CEO’s role and the board’s oversight responsibilities, particularly during times of leadership change. Accordingly, the Board of Trustees should retain the current language related to short-term leave in the policy.”

There were no suggested revisions. Chair Luck noted that the Board will not complete a survey on adherence to this policy since it has not been utilized yet.

Board Policy Review: GP-9 Investment in Governance – The Board reviewed this policy for currency. There were no suggested revisions.

Board Policy Review: BCD-0 Global Board Delegation Statement – The Board reviewed this policy for currency. There were no suggested revisions.

ACTION ITEMS

Board Nominating Committee Report and Election of Board Officers – The Board Nominating Committee, comprised of Trustee McPherson and Vice Chair Lynch, submitted the following slate of officers for the FCC Board of Trustees for FY 2026: Theodore Luck, Chair, and Carolyn Kimberlin, 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, the Board unanimously approved the election of Theodore Luck as Chair and Carolyn Kimberlin as Vice Chair of the Board of Trustees of Frederick Community College for FY 2026.

Approval of Schedule of Board Meetings for 2026 – The following schedule of regular meetings for 2026 were submitted for approval: January 21, February 18, March 18, April 22, June 10, August 19, September 16, October 14, and November 18. The Board Retreat will be scheduled at a later date.

On a motion made by Trustee McPherson, the Board unanimously approved the 2026 regular meeting dates, as presented.

Approval of Proposed Agreement for Legal Services for FY 2026 with Pessin Katz Law – President Cheek reviewed the terms of the proposed agreement in detail with the Board. The annual retainer of \$100,000 for FY 2026 is an increase of \$5,000 over last fiscal year. The hourly rate is increasing from \$335 per hour to \$350 per hour. Any fees in excess

of the retainer are billed at the end of June at 80% (a 20% discount). All ordinary out-of-pocket expenses will also be billed at the end of June. Any extraordinary expenses (e.g., expert witness fees, transcription services, etc.) will be billed as they are incurred.

On a motion made by Vice Chair Lynch, the Board unanimously approved the Agreement for Legal Services for FY 2026 with Pessin Katz Law, as presented.

Approval of FY 2026 Operating Budget, Capital Budget, and Salary/Wage Scales

– Scott McVicker, Chief Financial Officer (CFO) and Vice President for Administration reviewed the FY 2026 budget proposal in detail with the Board. The FY 2026 operating budget is \$78,776,318 and includes a 3% increase for in-county, out-of-county, and out-of-state tuition and fee rates, and the use of \$2,300,000 of strategic reserves for one-time initiatives. The salary/wage scales have been updated to reflect a 3% cost-of-living adjustment for most employee classifications. Full-time faculty salaries will be funded per the approved collective bargaining agreement. The FY 2026 capital budget is \$10,318,550.

On a motion made by Vice Chair Lynch, the Board unanimously approved the FY 2026 Operating Budget, Capital Budget, and Salary/Wage Scales, as presented.

MONITORING CEO PERFORMANCE:

Acceptance of Baseline Insight Report for EL-3 Communication & Support to

the Board – Chair Luck provided a reminder that the Board agreed to receive baseline insight reports in lieu of monitoring reports as part of the transition to full deployment of the Policy Governance® Model. Areas of compliance will be expected to be maintained and areas of non-compliance will be expected to be addressed prior to the submission of the formal monitoring report next year. President Cheek reported full compliance.

On a motion made by Trustee Reid, the Board unanimously approved to accept the Baseline Insight Report for EL-3 Communication & Support to the Board, as presented.

Acceptance of Baseline Insight Report for E-1 Ends – President Cheek reported full compliance with the exception of items 1.1.a, 1.1.b, 1.3.b, 1.6.a, 1.6.b, 3.3.a, 3.4.a, and 3.4.b.

On a motion made by Vice Chair Lynch, the Board unanimously approved to accept the Baseline Insight Report for E-1 Ends, as presented.

MEETING CONTENT REVIEW

Chair Luck led a discussion for the consideration of areas for meeting content improvement and the effectiveness of the meeting as it adheres to the principles of Policy Governance®. There were no comments.

CLOSED SESSION

At 6:14 p.m., the motion was made by Vice Chair Lynch to convene in closed session and unanimously approved by the Board.

This action was taken in accordance with Maryland's Open Meetings Act, Section 3-305(b)(1) to discuss (i) 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 (ii) any other personnel matter that affects one or more specific individuals; Section 3-305(b)(7) to consult with counsel to obtain legal advice; 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.

The Board convened in closed session in the Conference Center (E126AB) on June 11, 2025. A virtual option to participate was provided. Attending in person were: Trustees Theodore Luck, Chair; Tom Lynch, Vice Chair; Tracey McPherson; Dr. William Reid; and Myrna Whitworth. Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Avis Boyd, Chief of Staff to the President; and Adam Konstas, PK Law, College legal counsel, who assumed the duties of recording secretary for the meeting.

Participating virtually were Trustees Jan H. Gardner and Carolyn Kimberlin.

The Board reviewed closed session minutes from April 23, 2025.

On a motion made by Trustee Reid, the Board approved the April 23, 2025 closed session minutes 5-0-2, as presented, with Trustees Gardner and Kimberlin abstaining.

The Board discussed the evaluation of the President. No action was taken.

President Cheek and Chief of Staff Boyd were excused at 6:56 p.m.

The Board reviewed and discussed the President's Amended Employment Agreement. No action was taken.

On a motion made by Vice Chair Lynch, the Board unanimously approved to adjourn the closed session at 7:11 p.m. and return to open session.

CALL TO ORDER

The Board of Trustees reconvened in open session. The meeting was called to order by Chair Luck at 7:14 p.m. Participating in person were: Trustees Theodore Luck, Chair; Tom Lynch, Vice Chair; Tracey McPherson; Dr. William Reid; and Myrna Whitworth. Also

attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; and Adam Konstas, PK Law, College legal counsel.

Participating virtually were Trustees Jan H. Gardner and Carolyn Kimberlin.

PERSONNEL ACTION ITEMS

Trustees shared highlights about President Cheek's accomplishments.

On a motion made by Vice Chair Lynch, the Board unanimously approved to extend the term of President Annesa P. Cheek's Employment as President of FCC for four years commencing on July 1, 2025 through June 30, 2029.

On a motion made by Trustee Kimberlin, the Board unanimously approved to ratify President Annesa P. Cheek's Amended Employment Agreement.

The meeting adjourned at 7:25 p.m.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, August 20, 2025.

Dr. Annesa Payne Cheek

Secretary/Treasurer

Prepared by Avis Boyd
Office of the President
Frederick Community College