

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**November 20, 2024
Regular Meeting**

The Board of Trustees of Frederick Community College met in **regular session** on Wednesday, November 20, 2024 in the Conference Center (E126AB). A virtual option to participate was provided. Participating in person were: Trustees Theodore Luck, Chair; Tom Lynch, Vice Chair; Carolyn Kimberlin; Tracey McPherson; Dr. William Reid; and Myrna Whitworth. Former Trustee Dr. John Molesworth's position is currently vacant. Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Janice Spiegel, Special Projects Manager/Budget Office Frederick County Government; and Adam Konstas, PK Law, College legal counsel.

Participating virtually was 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 October 16, 2024 regular meeting.

On a motion made by Vice Chair Lynch, the Board unanimously approved the October 16, 2024 regular meeting minutes, as presented.

BOARD & CEO COMMENTS

Chair Luck and Trustees Kimberlin, Reid, and Whitworth shared observations from their attendance at the Association of Community College Trustees Leadership Congress last month.

President Cheek also shared comments about her experience at the Leadership Congress. She then reported on the Hungry Harvest Box & Turkey Distribution and FCC Live Well Kit Giveaway, the ribbon cutting for the new Baking & Pastry Lab at 200 Monroe, strategic foresight sessions with the Institute for the Future, An Artful Evening, the Adult Education Graduation & Celebration of Excellence, and the first ever Maryland Higher Education Commission Student Success Summit.

CONSENT AGENDA

On a motion made by Vice Chair Lynch, the Board unanimously approved to remove both items from the Consent Agenda.

ACTION ITEMS REMOVED FROM CONSENT

Approval of Award – RFP 25-PR-01 to Forvis Mazars, LLP in the amount of \$124,000 for Policy Governance Alignment Consulting Services – There was discussion regarding the RFP process and qualifications of the proposed awardee.

On a motion made by Vice Chair Lynch, the Board unanimously approved the award to Forvis Mazars, LLP, as presented.

Approval of Award of Guaranteed Maximum Price (GMP) in the amount of \$1,650,000 to Dustin Construction Inc. for the Improvements to the Carl and Norma Miller Children’s Center Project – There was discussion regarding the timeframe for

construction and it was noted that the Children’s Center will be closed approximately May to August 2025. Ample notification will be provided to parents and families so they can find alternative childcare during this time.

On a motion made by Vice Chair Lynch, the Board unanimously approved the award to Dustin Construction Inc., as presented.

INFORMATION/DISCUSSION ITEMS

Fiscal YTD Financial Report through September 30, 2024 – Scott McVicker, Chief Financial Officer (CFO) and Vice President (VP) for Administration, went through the report in detail with the Board.

MONITORING CEO PERFORMANCE:

Review of Draft Interpretation of EL-9 Asset Protection – The Board reviewed this interpretation. A recommendation was made to consider adding health insurance to item 3 in the future. This will be revisited during the next policy review. There was a suggestion to add “and procurement requirements as necessary” to item 9, but it was clarified that this is already covered under the broad language of “purchasing protocols.”

Review of Draft Interpretation of EL-10 Investments – The Board reviewed this interpretation. There were no comments.

MONITORING BOARD PERFORMANCE:

Board Policy Review: GP-11 Special Rules of Order – The Board reviewed this policy for currency. A revision was identified to delete “(i.e., Two-thirds)” in item 10. The revised policy will be considered for approval at the January Board meeting.

Board Policy Review: BCD-2 Accountability of the President – The Board

reviewed this policy for currency. There were no suggested revisions.

ACTION ITEMS

Approval of CIP and County Capital Budget Request (FY 2026-FY 2031) – CFO/VP

McVicker detailed the FY 2026 – FY 2031 Capital Improvements Program (CIP) and County Capital Budget Request.

On a motion made by Trustee Kimberlin, the Board unanimously approved the FY 2026 – FY 2031 CIP and County Capital Budget Request, as presented.

MONITORING CEO PERFORMANCE:

Approval of Interpretation for EL-6 Planning – The Board considered this

interpretation, which was reviewed at the meeting last month.

On a motion made by Trustee Kimberlin, the Board unanimously approved the Interpretation for EL-6 Planning, as presented.

Approval of Interpretation for EL-7 Land Use – The Board considered this

interpretation, which was reviewed at the meeting last month.

On a motion made by Trustee Reid, the Board unanimously approved the Interpretation for EL-7 Land Use, as presented.

Acceptance of Baseline Insight Report for EL-4 Financial Conditions and

Activities – 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 with the exception of item 12.b.

On a motion made by Trustee Reid, the Board unanimously approved to accept the Baseline Insight Report for EL-4 Financial Conditions and Activities, 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®. Trustees expressed satisfaction with the meeting and appreciation for the thoroughness of the materials provided.

CLOSED SESSION

At 5:24 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; 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.

The Board convened in closed session in the Conference Center (E126AB) on November 20, 2024. Attending were: Trustees Theodore Luck, Chair; Tom Lynch, Vice Chair; Carolyn Kimberlin; Tracey McPherson; Dr. William Reid; and Myrna Whitworth. Former Trustee Dr. John Molesworth's position is currently vacant. Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Avis Boyd, Chief of Staff to the President; Dr. Bridgette Cofield, Vice President (VP) for Talent and Culture; Dr. Anne Davis, Provost and VP for Teaching, Learning and Student Success; Scott McVicker, Chief Financial Officer (CFO) and VP for Administration; Pamela Murphy, Labor Relations Specialist; Adam Konstas, PK Law, College legal counsel; and Kari Melvin, Recording Secretary.

The Board reviewed closed session minutes from September 18, 2024.

On a motion made by Vice Chair Lynch, the Board unanimously approved the September 18, 2024 closed session minutes, as presented.

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

Provost/VP Davis and Labor Relations Specialist Murphy left the meeting.

The Board considered an appeal for procedural review.

On a motion made by Vice Chair Lynch, the Board unanimously approved to reject the appeal of procedural error.

The Board obtained legal advice related to a personnel matter. No action was taken.

The meeting adjourned at 6:01 p.m.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, January 15, 2025.

Dr. Annesa Payne Cheek

Secretary/Treasurer

Prepared by Kari Melvin
Office of the President
Frederick Community College