

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**November 15, 2023
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, November 15, 2023 in the Conference Center (E126AB). A virtual option to participate was provided. Participating in person were: Trustees Carolyn Kimberlin, Chair; Tom Lynch, Vice Chair; Theodore Luck; Tracey McPherson; Dr. John Molesworth; Dr. William Reid; and Myrna Whitworth.

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; 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. Anne Davis, Provost and Vice President (VP) for Teaching, Learning and Student Success; Dr. Bridgette Cofield, VP for Talent and Culture; Dr. Barbara Larson, Interim VP for Finance and Administration; Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Dr. Benita Rashaw, Interim VP for Student Affairs; Adam Reno, Interim Chief Information Officer (CIO); Lewis Godwin, Chief of Operations; Dr. Molly Carlson, Associate Vice President (AVP) for Continuing Education and Workforce Development; Dr. Renee Davis, AVP, Center for Teaching and Learning; Dr. Sandy McCombe Waller, AVP for Academic Affairs/Dean of Health, Business, Technology & Science; Nichole Pollard, Interim AVP for Student Success; Amy Stake, AVP for Finance; Dr. Brian Stipelman, AVP for Academic Affairs/Dean of Liberal Arts; Jeanni Winston-Muir, Interim AVP for Student Affairs; Michael Anderson, Director of Career and Academic Planning Services; Kathy Francis,

Executive Director of the Mid-Atlantic Center for Emergency Management and Public Safety; Diana Oliver, Human Resources Manager; Esther Slack-Metellus, Support Staff Association (SSA) Executive; and Kari Melvin, Recording Secretary. Joyce Ruane, Career and Academic Planning Services Student Support Manager; and Advising, Connecting, Empowering, Students (ACES) Team members Josephine Barnett, Velva Cooper, Emily Gyamfi, Tony Hopko, Samantha Mills, Kathleen Ministri-Madrid, Thorsten Torok, and Lovy Joel Nkomo Wamba attended for a portion of the meeting.

Participating virtually were Dr. Kevin Martin, Administrative Staff Association (ASA) Executive; Robin Shusko, Vice Chair, College Senate; Fred Hockenberry, Executive Director of Auxiliaries, Procurement and Special Projects; Pamela Murphy, Labor Relations Specialist; Cathy Florimbio, Director, Children’s Center; and other guests.

CALL TO ORDER

The meeting was called to order by Chair Kimberlin at 4:31 p.m.

APPROVAL OF MINUTES

Chair Kimberlin called for approval of the minutes of the October 18, 2023 regular meeting.

On a motion made by Vice Chair Lynch, the Board unanimously approved the minutes, as presented.

BOARD & CEO COMMENTS

Chair Kimberlin reported that she and Vice Chair Lynch had the pleasure of attending the FCC/FCPS annual Veterans Appreciation Ceremony last week. The program included a flag-raising ceremony with students from the Career and Technology Center, led by Donald Duman, a teacher and U.S. Army Veteran; the singing of the National Anthem by FCC music student Connor Frazier; and remarks from President Cheek and

Hugh Warner, a U.S. Army Vietnam War Veteran. Chair Kimberlin expressed appreciation for all those who serve. Chair Kimberlin then stated she received a copy of the magazine *Going First: The Journey of Overcoming*. It is the product of the FCC Advising, Connecting, Empowering, Students (ACES) Team, first generation students who are now employed as student workers contributing crucial insights to the FCC Career and Academic Planning Services (CAPS) program, under the leadership of Director Michael Anderson. They each conducted the interviews shared in the magazine issue and offered thoughts and opinions to encourage other first generation scholar potentials to attend FCC. Chair Kimberlin recognized Joyce Ruane, the CAPS Student Support Manager, who shepherded this effort and assisted with the magazine editing and publishing. She congratulated the ACES Team and thanked them on behalf of the Board of Trustees for their courage to not only take the step to be a college scholar, but to spread the wealth and invite others to join them.

ACES Team members Josephine Barnett, Velva Cooper, Emily Gyamfi, Tony Hopko, Samantha Mills, Kathleen Ministri-Madrid, Thorsten Torok, and Lovy Joel Nkomo Wamba each introduced themselves and stated their program of study and how far along they are in their college journey. Ms. Ruane thanked Interim VP Rashaw for her vision and Director Anderson for helping her create this team. She said it is an awesome group of students and a privilege to show up every day to help and encourage them. Director Anderson commended Ms. Ruane for her creativity and leadership. President Cheek commented that this is an example of creating the right conditions and that there is magic happening every day in different pockets of the institution, and she thanked the ACES Team.

Chair Kimberlin asked if any other Trustees had comments. Trustee Whitworth said that it was her understanding community colleges in Maryland should be funded one-third from the state, one-third from the county, and one-third from tuition. She read a recent article that reported state funding under the Cade formula has now been fully satisfied at 29%. She asked why it was not 33 $\frac{1}{3}$ %. It was noted that this item was not on the agenda. President Cheek will work with Interim VP Larson to provide follow up information to the Board.

Vice Chair Lynch commented that President Cheek was at the ribbon cutting ceremony for the Asian American Center of Frederick's Family Support Services Center he attended yesterday. He stated that Elizabeth Chung is a force of nature and it was an incredible ceremony. Governor Wes Moore attended and afterward he went to the downtown site of the future hotel and conference center. President Cheek added that FCC was the only organization Governor Moore recognized other than those who were on stage. She continued that Elizabeth Chung is a phenomenal leader and noted Trustee Reid, AVP for Continuing Education and Workforce Development Dr. Molly Carlson, and FCC Allied Health Program Manager Kelanie Yordy were also in attendance.

President Cheek announced the kickoff of the men's and women's basketball seasons and encouraged everyone to come out and support FCC student athletes. She then announced that the "FCC Scholar Ship" will be launched this Saturday, as part of the "Sailing Through the Winter Solstice" boat display on Carroll Creek. President Cheek encouraged everyone to vote for our boat to support scholarships for FCC students, and she recognized the talented team who collaborated on this project: Captain Sam Martin, Dr. Molly Carlson, Deborah Powell, Eran Bosaz, Ryan Ridge, Edwin Koester, Charles Pham, Brian DeCesare, and Mike Baisey.

President Cheek then reported on various meetings and events. She attended the Maryland Association of Community Colleges (MACC) Board Meeting on October 27, 2023 with Trustee Whitworth, where the legislative agenda for the upcoming session of the Maryland General Assembly was approved. President Cheek overviewed the MACC legislative agenda, which Trustees received at the meeting. Her editorial, titled “Higher ed is high impact for democracy,” was published in the Frederick News-Post on October 28, 2023, and is the first in a series she will be submitting. President Cheek attended the African American Resources Cultural and Heritage Society Unity Ball on October 28 2023. On November 7, 2023, she met with the leaders of the Student Government Association for them to share their thoughts and what they have planned for this year. President Cheek hosted a special holiday dinner at 200 Monroe on November 9, 2023 to celebrate and acknowledge the commitment of local leaders to the FCC community of excellence. She thanked Elizabeth DeRose, Ray Maldo, and Danny Vasquez for working to ensure it was a lovely evening.

President Cheek noted that this is the last regular meeting until January. The College will host a Legislative Breakfast for the Frederick County State Delegation on December 1, 2023, followed by another Board Retreat with Dr. Dan Phelan to continue developing Board policies under the Policy Governance model. She said she is looking forward to seeing everyone at the Winter Holiday Luncheon on December 11, 2023 in the Cougar Café.

CONSENT AGENDA

The following items were submitted and distributed to the Trustees in their meeting packet:

- **Approval of Piggyback Contract with MetLife in the amount not to exceed \$764,821.38; Piggyback of Montgomery County, Maryland Contract #1153634 for Basic Life and AD&D Life Insurance and Contract #1161539 for Long-Term Disability for three years**
- **Award Recommendation – RFB 24-CEWD-01, Baking and Pastry Program Equipment Procurement project in the amount of \$148,253 to TriMark Adams-Burch, with funds to be covered by the Maryland State Tourism Grant Program of the Maryland Department of Commerce**
- **Approval of Piggyback Contract with Iron Bow Technologies in the amount of \$670,423.83; Piggyback of OMNIA Partners, Public Sector Contract Number R210404 for Cisco Phone System License and Support for three years**

Chair Kimberlin asked if any Board member wanted to remove an item from the consent agenda. Hearing none, she asked for a motion for approval.

On a motion made by Trustee Luck, the Board unanimously approved the consent items, as presented.

INFORMATION/DISCUSSION ITEMS

Fiscal year-to-date Financial Report through the Quarter Ending September 30, 2023 – President Cheek reported that Credit and Continuing Education tuition revenue and fees for FY 2024 exceed the YTD budget. Expenses are 17% below the YTD budget and the primary reason for this is being under budget in compensation, fringe benefits and contracted services. Auxiliary operations recorded a combined net income loss of \$44,630 as of September 30. Per the Financial Conditions and Activities policy number EL-4, section 5.1, the President shall not allow a combined operating fund balance reserve to be less than the Government Finance Officers Association recommended minimum of 16.6%

(two months) of annual operating expenses. For FY 2024, this amounts to \$11,086,502. Overall, the College's revenue exceeds expenses by \$12.3M as of September 30 due to higher than anticipated enrollment and expenses that are favorable to budget.

Interim VP Larson went through the report in detail with the Board. A copy of the report is available from the President's Office.

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

Middle States Reaccreditation Update – President Cheek stated that the College is accredited by the Middle States Commission on Higher Education (MSCHE). FCC received initial accreditation in 1971. The College is currently engaged in a host of activities that support the reaccreditation process. An update was last provided to the Board in September 2022.

Special Assistant Boyd provided a presentation on the current status and timeline. Last year, MSCHE changed the reaccreditation process from every ten years to every eight years. The process for FCC's reaccreditation started in July 2022. Dr. Kevin Martin and Frederick Cope were named the co-chairs of the Self Study and the Self Study Steering Committee was formed. A Self Study Institute was held to educate everyone involved. The Self Study Design was completed and approved by Middle States in April 2023. Dr. Paul Starkey, MSCHE Vice President, visited FCC in May 2023 and spent time speaking with the President, Board Chair and Vice Chair, and various members of the College community to gain insight. The College is currently in the period of inquiry and analysis. There are approximately 74 employees working in seven work groups, organized around each of the MSCHE standards. A draft of the Self Study will be ready by the end of November 2024 and will be submitted to the Visiting Team Chair. The Visiting Team Chair will visit in November 2024 and will speak with the President, Trustees, and various

members of the College community and provide feedback on the draft Self Study. The Evaluation Team Visit will occur in March 2025. From November 2024 to March 2025, participation of employees will increase from 74 to about 125. The Board will be heavily engaged to understand the draft report and as active participants during the visit. The last item during the Evaluation Team Visit is a session with the College community where the Chair gives a summary of the report they will submit to MSCHE. FCC has two weeks to officially respond to the report. The MSCHE will meet in June 2025 to make a final decision. Special Assistant Boyd commended everyone who is working on this. A copy of the presentation is available from the President's Office.

Chair Kimberlin asked if there are any responsibilities the Board has in this process. Special Assistant Boyd answered that Trustees can best contribute by participating in the review process of the Self Study draft and being present for any required meetings. President Cheek added that the College will provide guidance to the Board during each step.

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

ACTION ITEM

Approval of CIP and County Capital Budget Request (FY 2025-FY 2030) –
President Cheek stated that the College is required every year to submit to the County (for review and budget approval) its capital improvements program (CIP) and capital budget request for the next six years. President Cheek and her team met with County budget representatives to review this request on November 6, 2023. She also discussed the request with the County Executive during their regular meeting on November 8, 2023. The FY 2025 – FY 2030 capital improvements program request is based on the College's ten-year Facilities Master Plan which was approved by the Board and submitted to the Maryland

Higher Education Commission in June 2023. The College has not built a major building or addition on campus in almost a decade, but instead has invested in improving existing facilities. As part of the master planning process, a space needs assessment demonstrated a significant projected need for space, with an overall space deficit of nearly 124K net assignable square feet (NASF), which is 40% above the College's current NASF of 305K. Additional space needs were identified in almost every space use category, including class laboratory space, student study space, and other academic support spaces. Recognizing that Frederick County is the fastest growing county in the State of Maryland, FCC is increasingly being called on to fulfill and expand its mission of preparing the county's workforce of today and the future.

Chief of Operations Godwin provided a presentation which overviewed the master planning process, projected space needs, and the College 10-year capital priorities. A copy of the presentation is available from the President's Office.

Chair Kimberlin commented on the challenges of planning for the future and how the Board needs to be forward thinking. Chief of Operations Godwin noted that the environmental scan was conducted to help, as best possible, future proof these plans. The plans can be revisited every year and changes can be made as needed.

Vice Chair Lynch commented on the growth of Frederick County and the number of schools FCPS will need to build. He asked if there are ongoing discussions about expanding the Career and Technology Center, given that they had to turn away hundreds of students this year. President Cheek answered that FCPS is one of FCC's most significant partners, and FCC stands ready to support and align in any way that makes sense. FCPS is currently envisioning what the Career and Technology Center should look like.

President Cheek detailed the College’s six-year Capital Improvements Program budget. It totals \$171.75 million, including County funding of \$90.29 million, and includes three buildings: Campus Services Building; Health and Wellness Building / Building D Renovation; and an Innovation and Technology Center. The request also includes life safety systems and fire sprinkler upgrades; ADA accessibility repairs and upgrades; roof repairs/replacements; mechanical/electrical/ plumbing systems upgrades; site improvements (walkways, roadways, parking); as well as other deferred maintenance and ongoing renovations.

President Cheek recommended approval of the FY 2025 – FY 2030 CIP and County Capital Budget submittal request.

On a motion made by Trustee Luck, the Board unanimously approved the FY 2025 – FY 2030 CIP and County Capital Budget submittal request, as presented.

CLOSED SESSION

At 5:42 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 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 Carolyn Kimberlin, Chair; Theodore Luck; Tracey McPherson; Dr. John Molesworth; Dr. William Reid; and Myrna Whitworth. Vice Chair Tom Lynch had to leave after the regular meeting and was unable to participate. 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; Dr. Bridgette Cofield, Vice President (VP) for Talent and Culture; Dr. Barbara Larson, Interim VP for Finance and Administration; and Kari Melvin, Recording Secretary.

Pamela Murphy, Labor Relations Specialist, participated virtually for a portion of the meeting.

The Board reviewed closed session minutes from October 18, 2023.

On a motion made by Trustee Luck, the October 18, 2023 closed session minutes were approved 6-0-1, as presented, with Vice Chair Lynch absent.

Labor Relations Specialist Murphy joined virtually.

The Board obtained legal advice on matters related to potential unionization and collective bargaining strategy and potential positions.

On a motion made by Trustee Whitworth, the Board approved 6-0-1, with Vice Chair Lynch absent, for the FCC bargaining team to expend up to a specified amount on fiscal items for 2024-25 contained in the collective bargaining agreement with United Academics AFT/AAUP Frederick Community College Chapter, contingent upon the approval of the President.

VP Cofield, Interim VP Larson, and Labor Relations Specialist Murphy left the meeting.

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

The meeting adjourned at 6:37 p.m.

NEXT MEETING

**The next regular meeting of the Board will be held on Wednesday, January 24,
2024.**

**Dr. Annesa Payne Cheek
Secretary/Treasurer**

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