

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**June 15, 2022
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, June 15, 2022 in the Student Center (H202/203). A virtual option to participate was provided. Participating in person were: Trustees Tom Lynch, Chair; Carolyn Kimberlin, Vice Chair; Ellis Barber; Gary Fearnow; Theodore Luck; Dr. April Miller; and Dr. John Molesworth. Also attending in person were Interim President Dr. Thomas Powell, Secretary/Treasurer of the Board; Janice Spiegel, Director of Education and Special Initiatives; Edmund O’Meally, PK Law, College legal counsel; Jerry Boyd, Special Assistant to the President for Institutional Effectiveness; Lewis Godwin, Chief of Operations (COO); Dr. Tony Hawkins, Provost/Executive Vice President (EVP) for Academic Affairs, Continuing Education, and Workforce Development (AACEWD); Diana Oliver, Director of Human Resources; Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Adam Reno, Interim Director of Technology/Chief Information Officer (CIO); Amy Stake, Interim Vice President (VP) for Finance; Dr. Vell Lyles, Associate Vice President (AVP) for Strategic Enrollment and Innovation; Dr. Benita Rashaw, AVP for Student Affairs; MJ Hermes, Senior Vice President, McGriff Insurance Services; Caroline Cole, Director of Communications to the President; and Kari Melvin, Recording Secretary.

Participating virtually were Fred Hockenberry, Executive Director of Auxiliaries, Procurement and Special Projects; Dr. Perry Wood, Chair, Faculty Association (FA); Frank Seidel, Vice Chair, FA; Karen Santelli, Support Staff Association (SSA) Executive

and College Senate Secretary; Sheri Bailey and Shelby Carmon, SSA Executives; Traci Lowrey, Administrative Staff Association (ASA) Executive; Alan Whelan, President, Student Government Association (SGA); Brian Holt, Construction & Applied Technologies Institute Lab Coordinator; and Dr. Kevin Martin, Senior Researcher for Institutional Effectiveness.

CALL TO ORDER

The meeting was called to order by Board Chair Lynch at 5:30 p.m.

ESTABLISHMENT OF QUORUM

Interim President Powell confirmed the presence of a quorum of the Board.

APPROVAL OF MINUTES

Chair Lynch noted a correction to the May 25, 2022 regular meeting minutes. Trustee Miller abstained from voting on the April 13, 2022 board budget work session and regular meeting minutes. The minutes will be updated to reflect her abstention.

The Chair called for approval of the minutes of the May 25, 2022 board conversation and regular meeting, as corrected.

On a motion made by Trustee Luck and seconded by Trustee Molesworth, the Board approved the May 25, 2022 board conversation and regular meeting minutes 6-0-1, as corrected, with Trustee Miller absent.

Trustee Miller arrived at the June 15, 2022 regular meeting at 5:34 p.m.

CHAIR'S REPORT

Chair Lynch urged all Trustees to prepare for the upcoming July retreat by completing the online survey sent by the retreat consultant. He commented that the report

on the first phase of the campus master plan was thorough and provided excellent information for the future of the campus.

Chair Lynch thanked Interim President Powell for his service and reflected on some of the accomplishments this past year. He presented Interim President Powell with a framed FCC medallion, a leather journal, and a Resolution of Appreciation from the Board of Trustees. He read the text of the Resolution into the record:

Whereas, Frederick Community College has greatly benefited from the dedicated service of Dr. Thomas Powell as Interim President of Frederick Community College, and

Whereas, he has championed the College's interests and needs consistently and effectively before Frederick County officials and members of the community, and

Whereas, he has established great relationships with the College community, evidencing the esteem with which he is regarded, and

Whereas, he has attended and participated in numerous College activities, events, and meetings, representing the College with enthusiasm and effectiveness.

Now, therefore, be it resolved, that the Board of Trustees, Administration, Faculty, Staff and Students of Frederick Community College express sincere gratitude to Dr. Thomas Powell for his distinguished service, loyal advocacy and considerable endeavors on behalf of the College and its students, and be it further

Resolved, that all those associated with Frederick Community College extend wishes for continued health, happiness and a long-lasting relationship with Frederick Community College.

The Resolution was signed by Chair Lynch and Vice Chair Kimberlin.

Interim President Powell thanked the Trustees and said he was very humbled.

INTERIM PRESIDENT'S MONTHLY REPORT

Interim President Powell reported that the transition work with President-elect Cheek is nearly concluded. He will remain available to assist Dr. Cheek with transition activities. He provided a report on major objectives completed this past year, which Trustees received at the meeting. Interim President Powell said that work is continuing with the State on the next major capital project, the renovation and addition to the Athletics Center. He noted that this project was conceived in 2017 and that it needs to be considered in light of the new campus master plan. While FCC continues to reserve a position to receive capital funds from the State and County, the Trustees will be reviewing this project with President Cheek. Interim President Powell reported that the Compensation Study is nearly complete. The recommendations of the consultants will be considered this summer. He announced that the Miller Children's Center renovations are nearly complete and the facility should be open soon. Interim President Powell reported that the FCC Baseball team participated in the World Series in Oklahoma. Trustees expressed their appreciation to Coach Bennett and his team. Interim President Powell concluded his report by noting the construction in Linganore Hall is nearly complete and a ribbon cutting will be scheduled for the fall.

INFORMATION/DISCUSSION ITEMS

Schedule of Board Meetings for 2023 – Trustees reviewed the proposed board meeting dates for 2023. After discussion, it was decided the schedule will be developed in consultation with President Cheek.

Annual Update on Hardware and Software Maintenance Renewals – Interim Director of Technology/CIO Reno presented this item. Hardware and software purchases

approved by the Board of Trustees have annual renewal and/or maintenance fees built into the procurement. A list of these fees that exceed \$25,000 is provided for information so that the Board of Trustees is made aware of these expenditures.

The estimated software renewal costs for FY 2023 (July 2022 through June 2023) totals \$885,941.10 and includes: \$42,805.44 to Oracle for update and support licensing for Campus Solutions, HCM, FSCM-Financials; \$73,827.00 to Blackwood for Palo Alto Firewall software/hardware; \$63,709.00 to Augusoft for Lumens iPro software and Ed2Go; \$157,704.42 to Blackboard for Learning Management System software; \$30,046.00 to Hyland for Perceptive Content document imaging; \$25,537.76 to Innovative Interfaces for Library Database software; \$103,000.00 to EAB Navigate for Student Success Management software; \$25,969.59 to PowerSchool/PeopleAdmin for Human Resources applicant tracking software; \$32,887.17 to Dell for VMWare software; \$103,502.90 to Bell Industries for Microsoft Campus Agreement software; \$38,701.82 to Digital Information for Adobe software; and \$188,250.00 to IronBow for Phone System charges/maintenance.

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 Fearnow and Molesworth, submitted the following slate of officers for the FCC Board of Trustees for FY 2023: 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. Chair Lynch turned the meeting over to Interim President Powell to conduct the election of Board members for the office of Chair and Vice Chair for FY 2023. Interim President

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

On a motion made by Trustees Fearnow and Molesworth and seconded by Trustee Luck, the Board unanimously elected Carolyn Kimberlin as Chair and Tom Lynch as Vice Chair of the Board of Trustees of Frederick Community College for FY 2023.

Approval of Sole Source Procurement from Pessin Katz Law, P.A. for Legal Services for FY 2023 – Interim President Powell presented this item. The Board of Trustees Bylaws state that the Board is responsible for the approval of retaining of legal counsel. At the June 2013 Board of Trustees meeting, an action item was presented for the appointment of legal counsel. The Board reviewed the College counsel at the time, as well as three other firms and counsel recommendations from Montgomery College and Howard Community College. The Board found Pessin Katz Law, P.A. to be preferred over the rest and approved to engage the services of Pessin Katz Law, P.A. As a result of this decision, a retainer has been executed each year. The annual retainer of \$90,000 for FY 2023 is the same amount as last fiscal year. However, a 3.2% increase in their hourly rate, from \$310 per hour to \$320 per hour, is proposed. 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 are billed monthly as they are incurred.

Interim President Powell recommended approval of the sole source procurement from Pessin Katz Law, P.A. for legal services for FY 2023.

On a motion made by Chair Lynch and seconded by Vice Chair Kimberlin, the Board unanimously approved the sole source procurement from Pessin Katz Law, P.A., as presented.

Approval of FY 2023 Salary/Wage Scales – Interim President Powell presented this item. The FY 2023 salary and wage scales have been updated to reflect 3% budgeted increases in compensation and minimum wage increases. Interim President Powell noted that these are all subject to review in conjunction with the pending compensation study. In some cases, these salary levels will be adjusted upward.

Interim President Powell recommended approval of the FY 2023 salary/wage scales.

On a motion made by Trustee Barber and seconded by Trustee Molesworth, the Board unanimously approved the FY 2023 salary/wage scales, as presented.

Approval of the Annual Update for the 2022-2023 Employee Handbook with Faculty Addendum – Director Oliver and Provost/EVP Hawkins presented this item. The Employee Handbook with Faculty Addendum was established by the Board of Trustees in 2016 and is updated and approved annually. The Employee Handbook with Faculty Addendum has been minimally updated this year. A more thorough review will be conducted in conjunction with President Cheek’s review and the upcoming collective bargaining. The proposed revisions reflect current department and office names and position titles, current practice, and an update of the duties and responsibilities for credit adjunct faculty to communicate course requirements and student progress through the College learning management system, just as full-time faculty are currently required to do.

Director Oliver and Provost/EVP Hawkins recommended approval of the Annual Update for the 2022-2023 Employee Handbook with Faculty Addendum.

On a motion made by Trustee Fearnow and seconded by Vice Chair Kimberlin, the Board unanimously approved the Annual Update for the 2022-2023 Employee Handbook with Faculty Addendum, as presented.

Approval of Renewal of Contract for American Sign Language (ASL) Interpreting Services – AVP Lyles presented this item. On November 17, 2017, utilizing College General Procurement Procedures, the Board of Trustees approved an RFP for American Sign Language, Interpreting Services on an as-needed basis, with Sign Language USA as our first bidder and HIS Sign as the second bidder, operating as a backup. While the College employs one full-time ASL interpreter and one coordinator of services, who is also a licensed interpreter, the need and time demand is such that other resources are a necessity.

The objective of the RFP was to select an ASL Interpreting Services agency to facilitate communication with Deaf or hard of hearing students, employees, and visitors at FCC. This includes ASL interpreting for both credit and non-credit courses, activities and events, and miscellaneous assignments for the College. Services are provided on the main campus of FCC, the Monroe Center, and other specified off-College premises for FCC classes or other College-sponsored events or programs. All contracted services include live interpreting.

The initial term of the contract was for eighteen months, beginning January 1, 2018 and ending June 30, 2019, with the option to be renewed for four additional one-year options, providing service has been satisfactory, funds are available, and the offeror has been in compliance with contract requirements. FCC has been satisfied with the performance and responsiveness of these agencies. Each has agreed to keep all current pricing as initially agreed upon in November 2017. Hourly rates for Sign Language USA are \$70.00 for regular business hours, \$70.00 for after hours, and \$70.00 for emergency. Hourly rates for HIS Sign are \$75.00 for regular business hours, \$95.00 for after hours, and \$95.00 for emergency.

AVP Lyles recommended approval to award a one-year contract renewal for ASL Interpreting Services to Sign Language USA as the primary supplier and HIS Sign as the secondary supplier, beginning July 1, 2022, and extending through June 30, 2023.

On a motion made by Trustee Luck and seconded by Trustee Barber, the Board unanimously approved the one-year contract renewal, as presented.

Approval of Piggyback Contract with Technolutions, Inc. for the Slate Customer Relationship Management Platform in the amount of \$75,000; Piggyback of the St. Mary's College of Maryland Master Services Agreement with Technolutions, Inc. that resulted from RFP No. 22473 – AVP Lyles presented this item. This request is for a piggyback with Technolutions, Inc. through the St. Mary's College of Maryland Master Services Agreement that resulted from RFP No. 22473.

Student Affairs plans to procure and implement Slate, a comprehensive Customer Relationship Management platform for admissions and enrollment management, student success, and alumni advancement. Slate is designed and developed exclusively for higher education.

Currently, the Admissions staff of four people use time-consuming and archaic systems. Slate allows communication campaigns to engage students and ensure prospects receive many touch points. The system provides SMS messaging and uses conditional logic to ensure each message is tailored to the student. Slate will allow the staff to focus on recruiting and yielding students resulting in increased enrollment.

Slate offers many unique, on-going cost savings advantages such as a comprehensive annual license fee, with no per-user fees, per-feature or per-module fees, unlimited emails,

unlimited data storage, unlimited data integrations, and unlimited service/support. Implementation is included at no additional charge.

The cost of this purchase is \$75,000 for the first of a three-year contract. The subsequent two years will be brought to the Board for information at the time of renewal. Funds are available in the operating budget.

AVP Lyles recommended approval of the use of the St. Mary's College of Maryland Master Services Agreement with Technolutions, Inc. for the Slate Customer Relationship Management platform in the amount of \$75,000.

On a motion made by Trustee Molesworth and seconded by Trustee Barber, the Board unanimously approved the piggyback with Technolutions, Inc., as presented.

Approval of Revised Use of Facilities Fee Schedules – COO Godwin presented this item. The Use of Facilities Standard Fee Schedule and the Jack B. Kussmaul Theater and Lobby Facility Fee Schedule were revised and approved by the Board of Trustees at their May 15, 2019 meeting. In the fall of 2019, the Studio Theater (F142) was added to the available spaces for use, and the Board approved the revised JBK Theater and Lobby Facility Fees schedule (including F142) and modified fee schedule for the baseball field, at the Board meeting on November 20, 2019.

A recent review of the facilities rentals identified the need to revise the fee schedules for FY 2023 to keep up with rising operating costs, as well as with what other community colleges are charging for these same services.

Excluding the rates for the baseball field, all rental rates are proposed to increase by approximately 3% compared to the previous rates, which were set in FY 2020. The fees for the baseball field rentals are being increased from \$100 per hour to \$125 per hour to

generate more revenue to help offset maintenance and repair costs for the turf field, and to be more in line with what the other local facilities are charging. Technical Support Fees are being increased by 10% to keep up with increasing operating and labor costs (they have not been revised since May of 2019).

COO Godwin recommended approval of the revised Use of Facilities Fee Schedules, effective July 1, 2022, as presented.

On a motion made by Trustee Luck and seconded by Trustee Barber, the Board unanimously approved the revised Use of Facilities Fee Schedules, effective July 1, 2022, as presented.

TRUSTEE COMMENTS

The Trustees thanked Interim President Powell again for his service this past year and commented on his contributions. Interim President Powell stated that FCC is a great place and he has been fortunate to serve.

Chair Lynch congratulated Carolyn Kimberlin on being elected Chair of the Board of Trustees for FY 2023. Trustees thanked Chair Lynch for his service as Chair this past year. Chair Lynch commented that it has been a delight to work with everyone and he thanked all participating for everything they do for FCC and the Trustees.

ADJOURNMENT

The regular meeting adjourned at 6:37 p.m.

NEXT MEETING

The Board of Trustees will hold their Board retreat on July 22 and 23, 2022 at Turf Valley Resort. The next regular meeting of the Board will be held on Wednesday, August 17, 2022.

**Dr. Thomas Powell
Secretary/Treasurer**

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