

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**August 21, 2024
Regular Meeting**

The Board of Trustees of Frederick Community College met in **regular session** on Wednesday, August 21, 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; Dr. John Molesworth; and Dr. William Reid. Trustee Tracey McPherson was unable to attend. Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; and Janice Spiegel, Special Projects Manager/Budget Office Frederick County Government.

Participating virtually were Trustee Myrna Whitworth; Edmund O’Meally, PK Law, College legal counsel; 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 June 4, 2024 regular meeting.

On a motion made by Vice Chair Lynch, the Board approved the June 4, 2024 regular meeting minutes 6-0-1, as presented, with Trustee McPherson absent.

Chair Luck called for approval of the minutes of the June 18, 2024 special meeting.

On a motion made by Vice Chair Lynch, the Board approved the June 18, 2024 special meeting minutes 6-0-1, as presented, with Trustee McPherson absent.

Chair Luck called for approval of the minutes of the July 9, 2024 board retreat.

On a motion made by Trustee Reid, the Board approved the July 9, 2024 board retreat minutes 6-0-1, as presented, with Trustee McPherson absent.

BOARD & CEO COMMENTS

Trustee Reid shared his joy to be back from vacation. Chair Kimberlin expressed appreciation for Trustee Luck in his role as Chair. Vice Chair Lynch shared gratitude for the Institute for Learning in Retirement and the new font being used in Board materials. He also commented on a recent article from *The Wall Street Journal* titled “A New Problem With Four-Year Degrees: The Surge in College Closures” and its relation to Frederick Community College being perfectly positioned as one of the fundamental educational resources of this country. Trustee Molesworth echoed Vice Chair Lynch’s sentiment and wished Chair Luck a great year. Chair Luck expressed his pleasure to be here.

President Cheek introduced Scott McVicker, who began serving as the Chief Financial Officer and Vice President of Administration on June 24, 2024. She commented that employees made good use of the Wellness Days they were afforded this summer and she expressed excitement for tomorrow’s convocation and the start of the fall semester.

CONSENT AGENDA

There was discussion regarding the 2024-2025 Diversity, Equity, Inclusion, and Belonging Plan and its connection to the Board’s Ends policy, as well as the importance of using data to measure outcomes.

On a motion made by Trustee Kimberlin, the Board approved the following items 6-0-1, as presented, with Trustee McPherson absent:

- Piggyback Contract with BSN Sports LLC for Athletic Equipment and Supplies and Team Uniforms in the not to exceed amount of \$120,000; Piggyback of Omnia/National IPA Region 4 Education Service Center Contract R201101
- 2024 Frederick Community College Cultural Diversity Plan – Annual Progress Report for submission to the Maryland Higher Education Commission
- 2024-2025 Diversity, Equity, Inclusion, and Belonging Plan as required by the Maryland Higher Education Commission

ITEMS FOR DISCUSSION

Review of Draft Interpretation of EL-1 Treatment of Students (Monitoring CEO Performance) – The Board discussed this interpretation. Dr. Phelan clarified that the purpose of reviewing the interpretation is not for the Board to wordsmith, but to decide whether the majority of the Board believes the interpretation is reasonable, whether the President needs to go further in her interpretation, or if the Board believes they need to go further in being declarative in their policy. There was also discussion regarding the ability of the Board to modify their policies at any time, but the President must then be afforded the time to revise the interpretation. There were no suggested revisions.

Review of Draft Interpretation of EL-2 Treatment of Employees (Monitoring CEO Performance) – The Board discussed this interpretation. There were no suggested revisions.

Vice Chair Lynch commented on the comprehensiveness of the interpretations and expressed that waiting to approve them next month is unnecessary.

Vice Chair Lynch moved that the Board approve Interpretation of EL-1 Treatment of Students and Interpretation of EL-2 Treatment of Employees at this meeting, as presented. The Board approved Interpretation of EL-1 Treatment of Students and Interpretation of EL-2 Treatment of Employees 6-0-1, as presented, with Trustee McPherson absent.

Review of BCD-3 Delegation to the President (Monitoring Board Performance) –

The Board reviewed this policy for currency. There were no suggested revisions. A self-evaluation survey will be distributed to Trustees and the results will be compiled and presented at the next Board meeting.

Review of BCD-4 Monitoring President Performance (Monitoring Board Performance) – The Board reviewed proposed revisions to this policy to update the monitoring schedule for FY 2025. The revised policy will be presented for approval at the next Board meeting.

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®. Dr. Phelan clarified that the purpose of this agenda item is to guide the development of future agendas by evaluating whether the agenda and deliberations for this meeting reflect the ten principles, as well as to evaluate whether the Board adhered to these principles. This includes whether Trustees stayed in their swim lanes, if they focused on the Ends and means, there were no preoccupations of the past, and the Board focused on the future. Trustee Kimberlin suggested a designation of the expected action for each item on the agenda. It was noted that agenda topics are outlined in the Board of Trustees

Bylaws and they may need to be revised. Vice Chair Lynch commented on the future work of obtaining input from the Ownership and the need to develop a plan, and asked how the Jackson College Board of Trustees does it. Dr. Phelan detailed the process of obtaining external feedback from stakeholders who will be impacted by the College's strategic direction over the next decade, either through face-to-face meetings or surveys, to ensure that the Board receives relevant input to guide governance and support the President effectively.

CLOSED SESSION

At 5:35 p.m., the motion was made by Vice Chair Lynch to convene in closed session and approved by the Board 6-0-1, with Trustee McPherson absent.

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). A virtual option to participate was provided. Attending in person were: Trustees Theodore Luck, Chair; Tom Lynch, Vice Chair; Carolyn Kimberlin; Dr. John Molesworth; and Dr. William

Reid. Trustee Tracey McPherson was unable to attend. 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; and Kari Melvin, Recording Secretary.

Participating virtually were Trustee Myrna Whitworth; Pamela Murphy, Labor Relations Specialist; and Edmund O'Meally, PK Law, College legal counsel.

The Board reviewed closed session minutes from June 4, 2024.

On a motion made by Vice Chair Lynch, the Board approved the June 4, 2024 closed session minutes 5-0-1-1, with Trustee McPherson absent and Trustee Whitworth abstaining.

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

On a motion made by Vice Chair Lynch, the Board approved the June 18, 2024 closed session minutes 5-0-1-1, with Trustee McPherson absent and Trustee Whitworth abstaining.

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

VP Cofield, Provost/VP Davis, CFO/VP McVicker, and Labor Relations Specialist Murphy left the meeting.

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

The meeting adjourned at 6:05 p.m.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, September 18, 2024.

Dr. Annesa Payne Cheek
Secretary/Treasurer

Prepared by Kari Melvin
Office of the President
Frederick Community College