

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**September 22, 2021
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, September 22, 2021 in the Student Center (H202/203). A virtual option to participate was provided due to the COVID-19 public health emergency. Participating in person were: Trustees Tom Lynch, Chair; Carolyn Kimberlin, Vice Chair; Gary Fearnow; Theodore Luck; Dr. April Miller; and Dr. John Molesworth. Trustee Ellis Barber was unable to attend.

Also attending in person were Interim President Dr. Thomas Powell, Secretary/Treasurer of the Board; Jerry Boyd, Special Assistant to the President for Institutional Effectiveness; Lewis Godwin, Chief of Operations; Dr. Tony Hawkins, Provost/Executive Vice President (EVP) for Academic Affairs, Continuing Education, and Workforce Development (ACEWD); Dr. Cathy Jones, Vice President (VP) for Finance and Human Resources; Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Caroline Cole, Director of Communications to the President; Larry Johnston, Director of Athletics; Edmund O'Meally, PK Law, College legal counsel; and Kari Melvin, Recording Secretary.

Participating virtually were Janice Spiegel, Director of Education and Special Initiatives; Dr. Nora Clark, VP for Learning Support; Joseph McCormick, Chief Information Officer (CIO); Jean Floten and Dr. Eric Richtmyer, Senior Consultants, Academic Search; Dr. Gohar Farahani, Executive Director, Planning and Institutional Effectiveness; Michael Baisey, Executive Director of Marketing and Web Management; Dr.

Perry Wood, Chair, Faculty Association (FA); Frank Seidel, Vice Chair, FA; Evan Evans, Chair, College Senate; Robin Shusko, Vice Chair, College Senate; Shelby Carmon, Support Staff Association (SSA) Executive; Karen Santelli, SSA Executive and College Senate Secretary; Kelly Stewart, Administrative Staff Association (ASA) Executive; Alan Whelan, President, Student Government Association (SGA); Dr. Candice Baldwin, Associate Vice President (AVP) for Student Success; and Theresa Dorsey, Administrative Associate II, President's Office.

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

The Chair called for approval of the minutes of the August 25, 2021 board conversation.

On a motion made by Trustee Molesworth and seconded by Vice Chair Kimberlin, the Board approved the minutes 6-0-1, as presented, with Trustee Barber absent.

The Chair called for approval of the minutes of the August 25, 2021 regular meeting.

On a motion made by Trustee Luck and seconded by Trustee Fearnow, the Board approved the minutes 6-0-1, as presented, with Trustee Barber absent.

CHAIR'S REPORT

Chair Lynch stated that he is happy to report the presidential search committee is making substantial progress and he asked Vice Chair Kimberlin, Chair of the presidential

search committee, to provide an update. Vice Chair Kimberlin reported that the presidential search committee held its first meeting last week where they were given the charge for the work to be done. The 13-member committee includes representation from the community and the College. Vice Chair Kimberlin said she is thrilled to have everyone on the committee and commented that their openness and willingness to cooperate and work very hard is quite obvious. The committee will meet again in November. The next step in the process, which is on the Board agenda this evening, is to discuss the position profile which was put together as a result of various meetings between our consultants and College affinity groups, leadership teams, and the community. The presidential search website is up and running and it currently announces the launch of the search and the names of search committee members. More information is forthcoming as the search progresses. Chair Lynch commented on the media coverage of the search. Vice Chair Kimberlin thanked Director Cole for her coordination of interviews with the Frederick News-Post, WFMD, and WDVM. She also thanked Executive Associate Melvin for all of her support.

Chair Lynch stated he would entertain a motion to consider the approval of the Position Profile for the Presidential Search out of order since the Board was on the topic of the presidential search.

Trustee Fearnow made a motion to modify the agenda to consider the approval of the Position Profile for the Presidential Search out of order. The motion was seconded by Trustee Molesworth and approved by the Board 6-0-1, with Trustee Barber absent.

ACTION ITEM

Approval of Position Profile for the Presidential Search – Jean Floten and Dr. Eric Richtmyer, Senior Consultants from Academic Search, presented this item. Ms. Floten echoed Vice Chair Kimberlin’s comments about Executive Associate Melvin and said it has been a pleasure to work with Vice Chair Kimberlin. The consultants spent quite a bit of time meeting with College constituents, the leadership team, and members of the community in developing the desired traits of the next president. These have been carefully gathered and incorporated into the position profile. The purpose of the profile is to attract candidates. It will be published in several journals and Academic Search will reach out to several candidates in their network. Dr. Richtmyer added that their meetings with College stakeholders will be invaluable in the conversations they will have with candidates. He expressed gratitude to the Board for the opportunity to meet with these groups and stated they are in a very good position to recruit for the College.

Chair Lynch noted that the position profile was circulated to Trustees in advance of the meeting and there was ample opportunity to review and provide comments.

Trustee Miller suggested adding a leadership characteristic related to dual enrollment. Chair Lynch asked for proposed language. President Powell offered “Ability to foster and support innovative partnerships with the public and private high schools.” Dr. Richtmyer recommended adding “Demonstrated” to the beginning of the sentence.

Trustee Luck made a motion to approve the Position Profile for the Presidential Search. The motion was seconded by Trustee Molesworth.

Trustee Miller made a motion to amend the Position Profile for the Presidential Search to include “Demonstrated ability to foster and support innovative partnerships with the public

and private high schools” under leadership characteristics. The motion was seconded by Trustee Fearnow, and approved by the Board 6-0-1, with Trustee Barber absent.

The Board then voted on the main motion to approve the position profile for the Presidential Search as amended, which was approved 6-0-1, with Trustee Barber absent.

CHAIR’S REPORT CONTINUED

Chair Lynch reported on the Logistics and Production Technology Program Ribbon Cutting Ceremony at the Monroe Center on September 8, 2021. It was originally scheduled for September 1, 2021, but had to be rescheduled due to the rain and flooding from the aftermath of Hurricane Ida. Chair Lynch attended with Vice Chair Kimberlin and Trustee Luck. He said he is impressed with what this program is going to offer to our students and prospective students moving forward and he thanked Associate Vice President of Continuing Education and Workforce Development Patricia Meyer for helping to organize it. He thanked others who attended: Interim President Powell; Provost/EVP Hawkins; Jodie Bollinger, Director of Business Retention and Expansion for the Fredrick County Office of Economic Development; Dr. Molly Carlson, Assistant Dean, Liberal Arts; and Director Cole.

INTERIM PRESIDENT’S MONTHLY REPORT

Board members received the Interim President’s written report in their meeting packet. Also included in the President’s written report were: Higher Education Emergency Relief Fund (HEERF) Funding Report; Interim President Powell’s interview with WFMD; and the CIP Construction Projects Update.

Interim President Powell introduced Larry Johnston, the new Director of Athletics. Mr. Johnston provided a brief overview of his experience and thanked the Trustees for welcoming him to FCC and for their support of our student-athletes and coaches.

Key Objectives for 2021-2022 were provided to Trustees at the meeting. Interim President Powell commented that these are for the purpose of holding him and his team accountable for completing these objectives during the interim year.

Health Indicators for FCC were provided to Trustees at the meeting. Interim President Powell thanked SA Boyd and his team for putting these together. Data that is key to how we make decisions was obtained from the MHEC Data Book for the last five years. Interim President Powell will use this data over his remaining nine months to address critical issues.

Interim President Powell reported on COVID-19 and the Delta Variant. In the next few months, the hope is to utilize some of the funds from the federal government to employ a pandemic coordinator. He said he hopes to have at either the October or November Board meeting, a recommendation for a vaccine mandate with a start date of January 2022. Four of the community colleges in Maryland already have a mandate in place for students, faculty, and staff. It will be shared with the College community before coming to the Board. Provost/EVP Hawkins is chairing a 13-member College-wide COVID Advisory Group who will provide advice about how the College handles the pandemic.

Chair Lynch asked if the federal mandate through OSHA will apply to FCC. Mr. O'Meally answered that FCC will be included as a state or local government entity.

Interim President Powell said he is expecting a proposal from Tom Kleinhanzl, CEO of Frederick Health, for health services on campus.

The HEERF Funding Report was provided to Trustees in their meeting packet. Interim President Powell summarized that we have received \$7.8M and have spent approximately \$1.6M to-date. The report breaks down the expenditures based on personnel; equipment, supplies, and software; and services to students. A more comprehensive report will be provided to Trustees on a monthly basis moving forward.

Interim President Powell reported that the analysis of Learning Support operations has been completed. The consultants will provide a final report which will be shared with the Board by the November Board meeting.

Procurement has identified a piggyback contract with Evergreen that can be used for the comprehensive compensation study. The company is very well known and has recently facilitated studies with three other community colleges in Maryland. This will go to the Board of Trustees on October 20, 2021 for approval and the study would begin October 25, 2021. The first step is to review and update all job descriptions.

Interim President Powell reported that the Telework Policy was distributed through a shared governance process. The College Senate will have a recommendation by October 22, 2021.

A wonderful remembrance was held for the 20th anniversary of September 11 on campus. COO Godwin and Interim President Powell are working on a proposal for a veterans, first responders, and 9-11 memorial on campus.

Interim President Powell's first meeting with the other 15 community college presidents was held on September 17, 2021. They discussed enrollment, state funding, and collective bargaining.

ACTION ITEMS CONTINUED

Approval of the 2021 Performance Accountability Report to MHEC – SA Boyd
introduced Executive Director Farahani to present this item. The 2021 Performance Accountability Report (PAR) was distributed to the Trustees in their meeting packet.

The College received a memo and Guidelines for the 2021 Performance Accountability Report from Maryland Higher Education Commissions on May 27, 2021. Sections §11-304 through § 11-308 of the Annotated Code of Maryland require that every year the president of each public institution of higher education shall submit to its governing board a written report on the attainment by the institution of the objectives in the performance accountability plan of the institution. The governing boards of each postsecondary institution will then submit to the Maryland Higher Education Commission (MHEC) a performance accountability plan and an annual report on the progress toward the goals of that plan.

Substantial changes for 2021-2025 PAR were based on the recommendations of a workgroup established by the Maryland Council of Community College Chief Executive Officers. Executive Director Farahani represented FCC in this workgroup. The final version of the proposal was approved by the presidents, the Maryland Association of Community Colleges, and submitted to MHEC on behalf of all Maryland community colleges. Each community college was tasked with preparing its own set of benchmarks for the performance indicators and instructed to submit them to MHEC by October 1, 2021, after approval of the governing board. The performance indicators are organized in three categories, which are the three goals of the Maryland State Plan: access, success, and innovation. Thirteen FCC professionals from different departments College-wide reviewed

data for each indicator through a collaborative process to develop the proposed benchmarks.

Executive Director Farahani recommended approval of the 2021 PAR and benchmarks. The report is due to MHEC by October 1, 2021.

Trustee Fearnow asked about the benchmark for the Nursing Program, noting that it was low given our history. Provost/EVP Hawkins said the percentage given is the minimum to maintain accreditation and placing it higher exceeds what is required.

On a motion made by Vice Chair Kimberlin and seconded by Trustee Molesworth, the Board approved the 2021 Performance Accountability Report 6-0-1, as presented, with Trustee Barber absent.

The next three action items were submitted by Executive Director Baisey and SA Boyd and distributed to the Trustees in their meeting packet:

- Sole Source Procurement from EffecTV for up to \$65,000 in FY 2022 for Cable Television, Streaming Video, and Online Video Advertising**
- Sole Source Procurement from Manning Media for up to \$50,000 in FY 2022 for Broadcast Radio Advertising and Digital Advertising/Marketing Services**
- Sole Source Procurement from the Frederick News-Post for up to \$50,000 in FY 2022 for Print and Digital Advertising**

Chair Lynch asked Executive Director Baisey and SA Boyd if they had anything to add to these items. SA Boyd and Executive Director Baisey indicated that all of the relevant information has been included in the backup.

Trustee Fearnow commented that the work of Executive Director Baisey and his team is remarkable. He cannot compliment them enough on the exposure the College

receives for the dollars spent. It is a great return on investment. Chair Lynch complimented Interim President Powell on his op-ed pieces in the Frederick News-Post and expressed appreciation for the positive publicity.

Chair Lynch asked if there was any further discussion for these items. There being none, he asked for individual motions on each item.

On a motion made by Trustee Fearnow and seconded by Trustee Luck, the Board approved the sole source procurement from EffecTV 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Fearnow and seconded by Vice Chair Kimberlin, the Board approved the sole source procurement from Manning Media 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Molesworth and seconded by Trustee Luck, the Board approved the sole source procurement from the Frederick News-Post 6-0-1, as presented, with Trustee Barber absent.

The next five action items were submitted by Provost/EVP Hawkins and distributed to the Trustees in their meeting packet:

- **Sole Source Procurement from Phillips for three V60 BiPAP Non-Invasive Ventilators in the amount of \$42,142.05**
- **Sole Source Procurement from Laerdal for one SIMMAN 3G PLUS Manikin in the amount of \$114,650.28**
- **Sole Source Procurement from Gaumard for Noelle and Newborn Tori High-Fidelity Manikins in the amount of \$68,396.00**

- **Sole Source Procurement from Mock Medical for 16 Manikins (of various skin tones) in the amount of \$38,400.00**
- **Sole Source Procurement from Getinge for two Servo-u Ventilators in the amount of \$91,499.57**

Chair Lynch commented that he has had the opportunity to observe the manikins personally and they are very realistic. He asked Provost/EVP Hawkins about the one for \$114,650.28. Provost/EVP Hawkins answered that this is for the SIMMAN, which provides advanced simulations.

Chair Lynch asked if there was any further discussion for these items. There being none, he asked for individual motions on each item.

On a motion made by Trustee Miller and seconded by Trustee Molesworth, the Board approved the sole source procurement from Phillips 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Vice Chair Kimberlin and seconded by Trustee Molesworth, the Board approved the sole source procurement from Laerdal 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Luck and seconded by Trustee Miller, the Board approved the sole source procurement from Gaumard 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Miller and seconded by Vice Chair Kimberlin, the Board approved the sole source procurement from Mock Medical 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Molesworth and seconded by Trustee Luck, the Board approved the sole source procurement from Getinge 6-0-1, as presented, with Trustee Barber absent.

The following action item was submitted by COO Godwin and distributed to the Trustees in their meeting packet:

- **Piggyback Contract with Convergent Technologies for Phase Five - Fire Alarm System Replacement (Emergency Broadcast System Integration) in the amount of \$611,395.59; Piggyback of the Fairfax County Public Schools (FCPS) Contract #4400007453**

Chair Lynch asked COO Godwin if he had anything to add. COO Godwin answered that this is the final phase of the fire alarm system replacement project and will provide emergency broadcast system integration.

Chair Lynch asked if there was any further discussion for this item. There being none, he asked for a motion.

On a motion made by Trustee Molesworth and seconded by Trustee Miller, the Board approved the piggyback with Convergent Technologies 6-0-1, as presented, with Trustee Barber absent.

The following action item was submitted by VP Jones and distributed to the Trustees in their meeting packet:

- **Award Recommendation for Raymond James to provide Underwriting Services in the amount of \$279,037 for Series 2021A Bond Refunding**

Chair Lynch asked VP Jones if she had anything to add. VP Jones stated that Raymond James was not the lowest bidder, but is best qualified to serve as the senior

managing underwriter on this transaction due to having served as the sole manager of the original issuance, their ability to utilize the original issuance team including McGuire Woods as underwriting counsel, and their reduction of initial pricing to be competitive with the other bidders. The College expects an interest rate reduction of 9% and to net about \$650,000.

Chair Lynch asked if there was any further discussion for this item. There being none, he asked for a motion.

On a motion made by Vice Chair Kimberlin and seconded by Trustee Fearnow, the Board approved the award of underwriting services for the Series 2021A bond refunding to Raymond James 6-0-1, as presented, with Trustee Barber absent.

CONSENT ITEMS

Pursuant to the Board of Trustees Bylaws, the Board may make one motion and hold one vote for all items designated as consent items on the monthly Board agendas. Any Board member, who for any reason, wants to discuss an item or needs to recuse themselves from voting on an item, may remove the item from the consent list and it will be dealt with as a regular action item. The following items were submitted as consent items and distributed to the Trustees in their meeting packet:

- **Piggyback Contract with Laerdal for Health Sciences SimCapture Pro Audio-Video system in the amount of \$129,948.91; Piggyback of the CollegeBuys Master Agreement #00004233, Laerdal SimCapture Pro Audio-Video system;**
- **Piggyback Contract with Daly for Aruba external wireless and wireless web portal upgrades in the amount of \$115,079.60; Piggyback of the Maryland Education Enterprise Consortium (MEEC) Contract #UMD-972016;**

- **Piggyback Contract with Dell Inc. for Health Sciences laptops in the amount of \$30,580.80; Piggyback of the Maryland Education Enterprise Consortium (MEEC) Contract #UMD-972016; and**
- **Piggyback Contract with Hill-Rom for 19 Centrella Smart+ Beds and Mattresses in the amount of \$120,703.58; Piggyback of the Montgomery College contract resulting from RFB E521-019.**

Chair Lynch asked CIO McCormick and Provost/EVP Hawkins if they had anything to add. CIO McCormick said he is particularly excited about seeing the external wireless come to fruition for our students and noted that the piggyback saved roughly \$63,000. Provost/EVP Hawkins commented that the savings for the smart beds and mattresses are significant at a 33% discount.

Chair Lynch asked if there was any further discussion for these items. There being none, he asked for individual motions for each item.

On a motion made by Trustee Molesworth and seconded by Trustee Miller, the Board approved the piggyback with Laerdal 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Luck and seconded by Vice Chair Kimberlin, the Board approved the piggyback with Daly 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Fearnow and seconded by Trustee Miller, the Board approved the piggyback with Dell Inc. 6-0-1, as presented, with Trustee Barber absent.

On a motion made by Trustee Luck and seconded by Vice Chair Kimberlin, the Board approved the piggyback with Hill-Rom 6-0-1, as presented, with Trustee Barber absent.

TRUSTEE COMMENTS

Vice Chair Kimberlin said she neglected to thank the Senior Leadership Team earlier this evening regarding the presidential search. She expressed appreciation for their help in collecting a massive amount of information for the search consultants in a narrow deadline.

CLOSED SESSION

At 7:06 p.m., the motion was made by Vice Chair Kimberlin to convene in closed session. The motion was seconded by Trustee Luck and approved by the Board 6-0-1, with Trustee Barber absent.

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; 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. In attendance: Trustees Tom Lynch, Chair; Carolyn Kimberlin, Vice Chair; Gary Fearnow; Theodore Luck; Dr. April Miller; and Dr. John Molesworth. Trustee Ellis Barber was unable to participate. Also present were Interim President Dr. Thomas Powell, Secretary/Treasurer of the Board; Edmund O'Meally, PK Law, College legal counsel; and Kari Melvin, Recording Secretary.

The Board reviewed closed session minutes from August 25, 2021 pursuant to Section 3-306(c)(3)(ii) of the General Provisions Article of the Maryland Annotated Code.

The Chair called for approval of the closed session minutes.

On a motion made by Trustee Fearnow and seconded by Trustee Miller, the Board approved the August 25, 2021 closed session minutes 6-0-1, as presented, with Trustee Barber absent.

The Board discussed personnel matters and obtained legal advice on the presidential search, the search process, and timeline.

On a motion made by Trustee Molesworth and seconded by Trustee Luck, the Board approved 6-0-1, with Trustee Barber absent, to adjourn the closed session at 8:20 p.m.

ADMINISTRATIVE FUNCTION

Interim President Powell provided updates to the Board of Trustees regarding his observations on the operational and administrative aspects of shared governance, athletics, student life, human resources, fiscal issues, campus signage, and COVID-19 management and coordination.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, October 20, 2021.

Dr. Thomas Powell
Secretary/Treasurer

Prepared by Kari Melvin
Office of the President
Frederick Community College