

**MINUTES**  
**District Board of Trustees – Tallahassee Community College**  
**444 Appleyard Drive**  
**Tallahassee, FL 32304**  
**June 16, 2008**  
**2:30 P.M. - Board Workshop**  
**4:00 P.M. - Business Meeting**

Chair Moon called the District Board of Trustees workshop and business meeting to order at approximately 2:35 pm.

**Members Present:** Chair Moon, Trustees Hebrock, Lamb, Messersmith, Shirah and Stanfield.

**Others Present:** President Bill Law, VP Robin Johnston, VP Bill Campman, Jim Murdaugh, Jerry Schilling, Alice Maxwell, Raven Davis, Frank Brown, Monte Finkelstein, Tony Stallworth, Marge Banocy-Payne, Kate Stewart, Kris Reeves, Jacque Parramore, E.E. Eunice, Steven Oole, Scott Balog, Terry Pendleton, Ben Alonzo, Teresa Smith, John Chapin, Sonia Jewell, Sally Search, Evelyn Wasdin, Cherry Alexander, Bill Spiers, Charles Riley, Richard Maelews, Sheri Rowland, Barbara Sloan, Bobby Jones and Lenda Kling.

Chair Moon called the meeting to order. The Chair requested everyone to rise for a moment of silence and remain standing for the Pledge of Allegiance to the American Flag. The Chair welcomed everyone in attendance and indicated that, as Chair, she would like to take the opportunity to address something.

Chair Moon thanked the TCC Board & family for the flowers that were sent. She stressed that being Chairman of the Board has meant a lot to her, although she has not been able to accomplish everything she would like. The Chair requested another term as Chair and opened the floor for discussion.

Trustee Shirah wondered if it would be permitted under the by-laws. Trustee Stanfield could appreciate her comments and also wondered about by-laws. Trustee Hebrock addressed precedent indicating that a previous Chair had been afforded the opportunity of a second term.

Chair Moon indicated that she just tossed it out for thought and wondered, due to the Sunshine law, how they could discuss outside the current venue. Trustee Lamb indicated he would like to wait for the full board to discuss. Trustee Hebrock indicated that due to population three representatives were from Leon County, resulting in Leon representatives that may not get to serve as Chair.

Chair Moon asked if there were any comments from Board Members before they started the Workshop. Trustee Lamb said he had the pleasure and honor yesterday

to listen to our President speak at one of the local churches. President Law indicated it was an invitation by Rev. Berniece Clausell, a supporter of ours.

Chair Moon asked if President Law had any comments. He indicated VP Sloan had received an appointment for three years on an emerging committee in reference to the streamlining of workforce education through K12 into the Community College System.

## **BOARD WORKSHOP**

**Capital Improvement Plan** – Tony Stallworth spoke to the overall process, including the annual report to the Board. Based on a 5 year plan (2004/05 – 2009/10), he pointed out the educational plan survey describes square footage for authorized projects. Our information on renovation, remodeling and construction is due downtown August 1<sup>st</sup>.

The projects included in the Board Agenda Book are a brief outline of our plan. Mr. Stallworth addressed the process used for determining the amount of budget we would receive for this plan, indicating this is the same process used by all colleges and we usually start receiving the funds beginning in August or September.

By the end of the calendar year, we will have approved and prioritized the projects. The Board will merge the Master Plan and the CIP will again be evaluated and reordered. Trustee Hebrock sought reassurance that the Board would not be changing direction. President Law provided as an example, determining the future use of the space vacated by the current Learning Commons when the new location is occupied.

Trustee Hebrock asked where in the plan does the Legislative money we receive fall for the purchase of new land. Tony Stallworth indicated it falls under the renovation listing. Trustee Hebrock indicated there are two properties within our campus that we do not currently own. He inquired what we would be requesting and for which properties. President Law indicated that the Board would further discuss the amount of money to be requested from the state.

Tony Stallworth indicated that PECO had been down for a number of years. Remember that asking for land acquisition money could result in lower dollars for other projects, such as renovation and remodeling. Tony Stallworth indicated we would probably start new plat surveys within a year.

Trustee Hebrock asked if we had any land at Pat Thomas titled to others. Jim Murdaugh indicated the original property was titled to the state, with the remainder of the property titled to Tallahassee Community College.

Trustee Shirah wanted to ensure that the CIP is dovetailed with the Master Plan, although the Master Plan is not complete. President Law indicated there were no inconsistencies.

**Baccalaureate Program** -- President Law shared information on the new legislation as summarized by Dr. Bill Holcombe. The bill came out of the House addressing community colleges and five (5) specific colleges that changed their name. It creates the Florida College System, which indicates it will now meet the State's employment needs.

Current baccalaureate programs are funded at 85% of university operations. The local Boards of Trustees may request college backing and pass it on to the State Board of Education. A task force was created and the TCC Board of Trustees recommended Dr. Law. President Law indicated he would be honored to serve. The pilot schools cannot participate on the board, although the board would be a careful mix of representation.

Trustee Hebrock indicated that when he suggested Dr. Law be recommended for the board; he indicated that Dr. Law should not only speak for TCC, but from his own twenty (20) years of experience. He believes this board should not stake out a position early, but consider the needs of the students and the community.

Trustee Hebrock felt we may have the best community college system in the country, but maybe we also have the worst university system. We should not position ourselves to say that we will be the last community college to participate, but evaluate our position.

Trustee Stanfield totally and completely agreed with Trustee Hebrock. A year ago she probably would have agreed that no way should TCC participate, however the community blogs indicated about a 50/50 split on this issue. She indicated some mothers appreciated the community college feel, while some students were comfortable and wanted to stay for their four year degree.

Trustee Stanfield asked if there were any other states that had done this and the outcome. She understands that California is looking to see how it works for us and asked if President Law was aware of any states with the proposed system. President Law indicated that the State College system of New York was challenging and he was concerned about how they would limit it to baccalaureates.

He expressed concern about how the state would deal with issues where state colleges and universities might be utilizing the same resources. Trustee Lamb said he could certainly appreciate both sides of the situation.

Trustee Messersmith provided information he had heard during committees during session. He is concerned that the creation of new colleges would be challenged within the university system and the community college concept would be lost.

Trustee Messersmith feels that we provide the opportunity for a baccalaureate already with Flagler and others on campus. He further stressed -- Who is going to do the remedial education, if not a community college? Who is going to be a community advocate?

Chair Moon completely agreed with Trustee Messersmith about the importance of what is done in the community college system, especially since she had recently had two family members go through our process. When compared to other students who went directly to University, the experience appeared much more beneficial at TCC.

Chair Moon asked Trustee Shirah if she had a comment. Trustee Shirah didn't feel she had enough information, on the impact to our students, to have an opinion. Trustee Stanfield suggested we add a question to departing students about whether they would stay if a four year degree was offered. If yes, what program were they going to study?

Chair Moon expressed concern with the possibility of three (3) four year institutions in Tallahassee. Trustee Hebrock indicated that all local schools appeared to be focused on different things. FAMU has primarily minority enrollment and is working on a law school. FSU focuses on graduate work and research programs, along with starting a new medical school. He feels we should not get hung up on community college and/or college – they are just names and we can have more than one focus.

Trustee Hebrock asked how many of our faculty currently teach at the university level and if they were qualified to teach at a higher level. Vice President Sloan indicated approximately a dozen teach at a university; however at the Freshman/Sophomore level, with only a few being qualified at a higher level. Trustee Stanfield asked how it would impact our salary range. Dr. Sloan indicated it would require a study to determine.

The workshop presentation is filed electronically.

## **BUSINESS MEETING**

### **APPROVAL OF MINUTES**

Chair Moon requested a motion to approve the minutes of the May 19, 2008 Workshop/Board Meeting.

**MOTION:** Trustee Lamb  
**SECOND:** Trustee Stanfield  
Motion passed unanimously.

### **INFORMATION AND NEWS ITEMS**

Alice shared with Board the information brochure recently printed on the Learning Commons, provided articles (particularly “No such thing as cancelled classes” in the Community College Week) that recently appeared in various media, including some video clips. Clips included girls in construction, emergency systems, student loan funding, college reach out program and partnership with UCF about solar energy.

### **UNFINISHED BUSINESS**

Chair Moon indicated that in a previous meeting Trustee Hebrock had mentioned we needed a list of volunteer clergy. President Law said we have made a start and the next step should be a letter from him to good list of clergy. Currently Baptist Campus Ministry and Christian Heritage Church have active clubs on campus with College Ministry staff.

Mental Health/Mental Resources provide referrals to several resources. We have approached American Red Cross and other organizations for their resources. Chair Moon stated we should also check into the number of Muslim students and have someone with whom they may connect, including Buddhism possibly for Chinese students. Trustee Hebrock indicated that we should get a list of clergy in all faiths and reach out to all.

Chair Moon asked that we revisit the vision statement previously provided via Dr. Sloan during her absence and handed the conversation over to Trustee Stanfield. Trustee Stanfield indicated the questions were two-fold a) how did the vision statement come about since time had been spent on this for the past year and did not recall the Board giving any direction to the Institutional and Planning Committee and b) the Board has a tremendous amount of ownership to the vision statement they just wrote.

Dr. Sloan indicated this was for their consideration, with no expectation the Board would abdicate its' responsibility. She said the committee got the vision statement after the Board had retired for the summer and did not see it until the fall. They listened to the presentations and, to their credit, felt it did not quite convey what we wanted to represent. They wanted to make an attempt to stretch and propose a more challenging goal.

Trustee Stanfield indicated her real concern was the word keystone, because she felt that the average student might not understand the meaning. Dr. Sloan indicated the same discussion occurred in the Committee. Trustee Hebrock shared that some board members wondered why a committee was presenting something new since the board had worked on it for two months.

Trustee Shirah said the tense of the statement is understood and a good idea, but we may be missing the success of our students and the support of the previous statement. She feels that some are feeling just a little hurt that they are being second guessed.

Chair Moon asked, because it was an action item on the last agenda, should it be an action item now.

- MOTION:** Trustee Hebrock made motion to remain with current vision statement, until such time the Board would like to reconsider.
- SECOND:** Trustee Stanfield.  
Motion passed unanimously.

Chair Moon shared the response from The Department of Education about the recommended appointment of Dr. Law, indicating we had only gotten a response that Dr. Law would be considered.

## **PUBLIC COMMENT**

None

## **NEW BUSINESS**

Chair Moon asked if there were any items on the Consent Agenda anyone wished to table. Trustee Hebrock stated he did not wish to table, he did wish to discuss an item and asked that number 3 where TCC is the Fiscal Agent (Tab 5) be moved to discussion agenda.

Trustee Stanfield indicated she had questions on that as well. Chair Moon indicated Tab 5 will be moved to the Discussion Agenda.

Chair Moon requested a motion to accept the consent agenda as modified above.

**MOTION:** Trustee Hebrock  
**SECOND:** Trustee Lamb  
Motion passed unanimously.

## **DISCUSSION ITEMS**

**Tab 5** – Trustee Hebrock asked where the fees are recorded in the budget. Teresa Smith indicated in Fund 1, as indirect costs, which are used for the operating budget.

Trustee Hebrock indicated he had concerns because there are various percentages charged even by category, especially the one for the transportation assistance of disadvantaged people. He asked if there was a sliding policy or scale for these fees.

VP Smith indicated we have certain agencies with negotiated rates and our standard rate is 5%. Jerry Schilling indicated that 8% is our target and certain project rates are determined by the amount of work involved by TCC.

Trustee Hebrock does not feel it should be subjective in a tough budget year, especially when we are holding the president to strict policies. He thought VP Smith should look at this with fresh eyes and not worry about what had been done previously. Although he would like it to be 12% for everyone, he did not want the Board to dictate a rule or policy.

Trustee Messersmith indicated his personal contract terms vary by the project requested. He cautioned the board about setting a flat percentage. Trustee Hebrock said the difference was these are public documents and we were dealing with public entities. Trustee Messersmith indicated he did not see an issue as long as the negotiators could show justification.

Trustee Hebrock indicated the negotiators do not have the same fiduciary responsibility as Dr. Law. Trustee Shirah did not see any harm with certain criteria for consistency. Trustee Hebrock indicated it could be set higher with a negotiation down. He wants to ensure that when we charge different rates, we have a written justification.

Trustee Hebrock will support Tab 5 as proposed and would like Dr. Law to come back with a policy when one is written. Dr. Law feels the need for a structure is paramount and a categorized contracts structure could be developed.

Trustee Stanfield indicated her questions were in reference to part 2, the Commitments, Expenditures, Contracts for Services related to the College Center for Library Automation (CCLA). There are several that are indicated as sole source, such as Number 6 and 7. Number 7 with Manatee Community College, RFP in 2001, stood out. Since it is now 2008, has it been renewed? Is it a continuing contract? Per Richard, it is a Dell Computer system contract via Manatee Community College for all Florida Community Colleges.

Trustee Stanfield indicated there were a lot of sole source justifications which caused her concern. She wanted to know if we were we going through appropriate processes since there are so many renewals for the same vendors. Trustee Stanfield indicated she was okay with them being annual renewals with information on file, but would like to see additional documentation in the future.

Trustee Messersmith indicated this Board is very keen on sole source.

**MOTION:** Trustee Stanfield  
**SECOND:** Trustee Messersmith  
Motion passed unanimously.

## **ADMINISTRATIVE SERVICES**

### **Fund Analysis and Check List –**

VP Smith indicated information provided is through the end of May and we are currently pre-closing June. We do not currently see any surprises, even though it is not as pretty as we would like. President Law indicated that some items were typically year-end adjustments, with many of our positions continuing to sit vacant.

Trustee Hebrock asked about the percentage of budget. Jerry Schilling indicated it was prorated and reflected the amended budget. Trustee Hebrock asked again about seeing the fund balances on a regular basis. VP Smith indicated it would be made available. Chair Moon asked if we could again review the focus of the seven funds. President Law indicated the information would be available when we bring the balances.

### **2008-2009 Salary Schedule**

Dr. Law indicated there were no changes to the salary schedule this year, that some of the language had been clarified, however there were no substantive changes. Trustee Stanfield asked how it would impact the new Center for Employee Enrichment for Classified Staff.

Dr. Law said the plan is to get the Center as operational as possible over the next year or two. Then they are discussing putting some requirements into employee job descriptions.

Trustee Hebrock asked the wage of the lowest hourly paid employee or if anyone was paid minimum wage. Renae Tolson indicated no one received minimum wage. The lowest listed salary on the schedule is \$18,400 (\$8.85 hour) on page 33.

**MOTION:** Trustee Hebrock  
**SECOND:** Trustee Stanfield  
Motion passed unanimously.

### **Construction Status Report**

Dr. Law said the parking garage appears to be at its final landscaping phase. Certificate of occupancy should be received in July.

The Learning Commons furniture is being received this week. The open house is August 19<sup>th</sup> and Dr. Law offered an hour before the next Board Meeting on August 18<sup>th</sup> for a walk through.

City of Tallahassee is working to place the Ghazvini Center on their next Board Agenda. The Storm Water drainage project has begun.

### **Accounts Receivable Write Off**

Dr. Law has asked VP Smith to do a look backwards to clear items that are not recoverable here and listed as missing property. There will be another list of items that go back approximately ten years. We are working to get all this handled and will probably be doing write offs twice yearly in future.

Trustee Messersmith says there are services that will try to collect. Jerry Schilling indicates we use a collection agency, but VP Smith indicated they have focused on student debt and we are internally looking at other debt. VP Smith says they are developing a formal process to follow in the future.

Trustee Hebrock indicated that although we are generous, we should aggressively go after bad checks/credit cards. He wondered when written off, do the records drop out of the system so the student can go on to another school. VP Smith said they put holds on so they cannot transfer out and we no longer accept that method of payment again from them.



Dr. Law indicated that collecting money from an agency after the fiscal year is gone can be very difficult. It will take us the fall semester to go back and fully clean up records.

Trustee Stanfield asked about the uncollected debt for financial aid. Bill Spiers indicated that financial aid indebtedness is due to the return to Title IV. The only way to minimize the return to Title IV is to get students to complete the semester and we have focused on this.

Trustee Hebrock asked Bill Spiers to provide a list of banks that no longer make student loans, suggesting that we no longer invest in their efforts. Bill Spiers indicated students are being served with obtaining other loan funding. Trustee Messersmith would encourage us not to do business with organizations that do not pay us.

**MOTION:** Trustee Shirah  
**SECOND:** Trustee Stanfield  
Motion passed unanimously.

#### **Department of Transportation**

Dr. Law indicated we do this annually and we just authorize a purchase.

**MOTION:** Trustee Stanfield  
**SECOND:** Trustee Messersmith  
Motion passed unanimously.

#### **Disposition of Missing Property**

Chair Moon asked for explanation of the loss of a \$15,000 server. VP Smith deferred to VP Campman who indicated it was before his time and was probably disposed of properly but not noted.

Trustee Hebrock asked the difference between missing and stolen. VP Smith said missing is when there is no indication the item has been stolen from the campus. Stolen is when we know where it was last seen and there is no indication it is on campus so a police report must be filed. Trustee Hebrock wanted to know if a police report had been filed for all items listed as stolen.

VP Smith indicated she would need to get with Chief Eunice, however the policy required a police report be filed. Trustee Hebrock suggested that any item indicated as stolen, without a police report filed, be reclassified as missing. Dr. Law asked if that was an audit matter. Jerry Schilling indicated that we can also file a police report on items that are missing.

Trustee Stanfield wanted to know if we found something they had written off, would it be brought back to the board. Jerry Schilling indicated any found item would be noted as a purchase.

- MOTION:** Trustee Hebrock, amend report to list items as missing; except items, for which a police report was previously filed, can be listed as stolen.
- SECOND:** Trustee Stanfield  
Motion passed unanimously.

### **Budget Amendment #2 (FY 2008)**

Dr. Law indicated we were attempting to communicate to the Board what the year-end transfers would look like when we close the books. We do not like to have too much money sitting in a fund at the end of the year when we can move it to Fund 7 and repurpose it for another use.

Trustee Hebrock asked if we had overspent in personnel. Jerry Schilling indicated the negative number was a result of the transfer of unused personnel funds. Trustee Stanfield wanted to clarify that the funds transferred to the President's contingency fund was for the Learning Commons & Center for Enrichment.

- MOTION:** Trustee Messersmith
- SECOND:** Trustee Lamb  
Motion passed unanimously.

### **Student Fees Legislation – Change in Fee Structure**

Legislature passed bill that only Legislative passed fees could be charged to students; hence we are no longer allowed to charge the current \$10 per registration fee. One way to replace the money was to increase the tuition by \$1 per credit hour.

With this change, 55% of the students will pay a little less and 45% of students will pay a little more. Trustee Hebrock asked if the out-of-state fee would be proportionately higher. Dr. Law indicated yes, based upon multiplier.

- MOTION:** Trustee Hebrock
- SECOND:** Trustee Shirah  
Motion passed unanimously.

### **Capital Improvement Program**

Based upon information provided by Tony Stallworth earlier today, this is a more detailed look at projects we are proposing for 2009/2010. Trustee Hebrock asked if the bottom line was more or less than last year. VP Smith indicated they have greatly cleaned this up since last year.

Dr. Law indicated additional information could be provided, although VP Smith has worked hard to make this a realistic list.

- MOTION:** Trustee Hebrock
- SECOND:** Trustee Shirah  
Motion passed unanimously.

## **2008-2009 Operating Budget**

Asking to approve the budget as outlined previously, although will be back in August to present a modified version at a lower total.

**MOTION:** Trustee Lamb  
**SECOND:** Trustee Messersmith  
Motion passed unanimously

## **ACADEMIC AFFAIRS – 2008-2009 Lab Fee Changes**

Dr. Law indicated we are deleting a fee and increasing a fee as a straight pass through to students.

**MOTION:** Trustee Stanfield  
**SECOND:** Trustee Hebrock  
Motion passed unanimously.

## **FOUNDATION REPORT**

VP Johnston indicated the Foundation has raised \$715,000 to date. There are some speaking engagements coming up to keep the community aware of what TCC is doing. Congratulations to Charles Wood for the assistance he provided to the Foundation on a \$100,000 grant for non-traditional students from the TG Foundation.

## **PRESIDENTIAL EVALUATION**

Chair Moon indicated minutes of the Evaluation Committee (members Chair Moon, Trustees Moore and Messersmith) had been provided indicating an excellent evaluation with only one satisfactory remark. The Chair recognized the committee did allow one day a month for Dr. Law to pursue outside speaking engagements.

Trustee Messersmith wanted to share that Dr. Law has been generous in spirit and in kind for looking at his salary this year. Trustee Hebrock asked if the committee had discussed the President must report his outside income. Trustee Messersmith indicated that outside employment notification was required but nothing about salary was previously discussed.

Dr. Law presented language he had pulled from another contract noting “the President shall request approval of the Chair and such approval should not be unreasonably withheld.” The language does not address days and he prefers to have the number of days stated. Trustee Stanfield asked if the days rolled over and were compensable. Chair Moon indicated the days were accumulative. Dr. Law said he did not wish to seek compensation.

**MOTION:** Trustee Stanfield  
**SECOND:** Trustee Lamb  
Motion passed unanimously.

Trustee Hebrock would like to make a motion to amend the contract by including the language presented. Chair Moon noted the motion should include the 12 day annual limit, with rollover without compensation.

Trustee Hebrock withdrew amendment and asked Dr. Law to bring modified language to the next board meeting. Trustee Lamb asked if President Law was comfortable with only the Chair providing approval. President Law indicated he was fine with just Chair approval, since the language indicated approval should not be unreasonably withheld.

Trustee Stanfield asked about the evaluation form used, as opposed to the previous DOE evaluation form. Dr. Law indicated he took all the information from the previous form and organized it a little differently. She would like to see the next evaluation done more in line with the Strategic Plan.

Chair Moon indicated that not every board member participated and wanted to know if it was a legal requirement that all board members participate. Attorney Steven Oole answered that current research indicates all members are not required to participate.

Chair Moon suggested that in the future the Strategic Forum complete an evaluation of the President. She does not feel that only five people should be making the final evaluation.

Trustee Shirah feels that it may not be appropriate for a subordinate to evaluate the President. Trustee Stanfield felt it was a good idea for a peer or management evaluation, however she does not feel it should in any way impact the Board's evaluation.

Trustee Lamb said it should happen only if the President wanted his subordinates to evaluate. He did not want the Board to be swayed by the evaluation of others. Chair Moon indicated she was on the Evaluation Committee last year which also did not receive full Board evaluation participation. She further stressed her concern about the Board of Trustees doing what they should be doing.

## **PRESIDENT'S REPORT**

Dr. Law indicated that Trustee Hebrock asked if we could recognize the late Sheriff Buddy Phillips in some way. Jim Murdaugh suggested that we provide an annual scholarship in Buddy Phillips' name for a youth who graduates from the Florida Sheriff's Youth Ranch to come to TCC.

Trustee Messersmith agreed and thought the suggestion of Jim Murdaugh was excellent. Trustee Hebrock feels that the selection committee should include a member of the Phillips family and the Sheriff's Association. Trustee Messersmith asked if it should be a general scholarship applicable to the entire TCC programs or limited to Pat Thomas since Buddy Phillips was an icon in law enforcement.

Trustee Hebrock feels that Trustee Messersmith should handle the scholarship process. Trustee Shirah indicates that maybe the Youth Ranch should be involved in the selection process. Trustee Stanfield felt it should not be limited to main campus or Pat Thomas. Trustee Messersmith indicated he agreed that it should be an open degree focus.

President Law indicated he had again been invited to participate with the Gates Foundation at their expense. He has invited them to Florida since their next focus appears to be on student data systems and we may see them at TCC.

**MOTION:** Trustee Stanfield moved that Dr. Law represent the board over the Board of Trustee break and report any action he takes on their behalf.

**SECOND:** Trustee Shirah  
Motion passed unanimously.

#### **FUTURE AGENDA ITEMS**

None

#### **NEXT MEETING DATE**

August 18, 2008

**ADJOURNMENT** – The meeting adjourned at approximately 6:15 pm.

Minutes approved at the regular meeting of the District Board of Trustees.  
Date August 18, 2008

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Chair, Frank Messersmith

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President, William D. Law, Jr.