

GARRETT COLLEGE
BOARD OF TRUSTEES MEETING MINUTES
July 21, 2020
McHenry, Maryland 21541

A. COMMUNICATION ITEMS:

1. **Call to Order and Attendance:** Mr. Don Morin-Chair, who joined the meeting via Zoom videoconferencing, called the meeting to order at 5:30 p.m. Other board members present either in-person or via Zoom videoconference or teleconference included: Dr. Brenda McCartney-Vice Chair (in-person), Ms. Vianne Bell (in-person), Ms. Madeleine Collins (via Zoom), Mr. Jason Rush (via Zoom), Ms. Linda Sherbin (via teleconference), and Mr. Duane Yoder (in-person). College administrators present included: Dr. Richard Midcap-President and Ms. Cherie Krug. College administrators joining the meeting via Zoom videoconference included: Ms. Janis Bush, Mr. Robert Kerns, Ms. Kathy Meagher, Ms. Shelley Menear, Ms. Dallas Ouellette, Ms. Kelli Sisler, Ms. Julie Yoder, and Dr. Qing Yuan. Ms. Christa Bowser-Faculty Senate Co-Chair also joined the meeting via Zoom videoconference.

2. **Communication from the Public:** None.

3. **Faculty Senate, Staff Senate, and SGA Updates**

SGA: No updates.

Staff Senate: No updates.

Faculty Senate: Ms. Bowser reported that some Faculty have been busy teaching summer classes. Also, the Faculty Senate Co-Chairs recently met with the President, Dean Yuan, Shelley Menear, and Kathy Meagher to discuss the “return to work/classes” plan for fall. She noted the Faculty’s appreciation for this informative meeting as they work through the challenges associated with COVID.

4. **Approval/Changes to the Agenda:** Chair Morin asked that Agenda Item C.2. MHEC Cultural Diversity Report-2020 Update and Progress Report be moved to the consent agenda since the board has had time to review the report in detail. Also, he noted that the board is not planning to hold an August meeting. On a motion by Trustee Sherbin, seconded by Trustee Collins, the board unanimously approved the agenda with the above noted change (Vote=7-0-0).

B. ACTION ITEMS:

1. **CONSENT AGENDA:** On a motion by Trustee Sherbin, seconded by Trustee Rush, the board unanimously approved the consent agenda as

amended (*Item C.2. MHEC Cultural Diversity Report-2020 Update and Progress Report moved to consent agenda. See Item A.4 above*) and listed below (Vote=7-0-0).

- a. Approval of the minutes from the June 16, 2020 regular meeting
- b. Summary of mandated federal updates to the College's Title IX Policy
- c. MHEC Cultural Diversity Report-2020 Update and Progress Report

2. **FY2021 Budget Amendments:** As noted during the June Board Meeting, the College continues to make adjustments to the previously approved FY2021 budget to match COVID-related revenue shortfalls with expenditure reductions. Updated documents were emailed to the board members to review prior to the meeting. On a motion by Trustee Bell, seconded by Vice-Chair McCartney, the board unanimously approved the FY2021 Budget Amendments as presented (Vote=7-0-0).
3. **OPEB:** President Midcap reported that the OPEB Liability Memo from Dean Ouellette summarized a projected reduction of more than \$300,000 in the College's OPEB liability. This reduction is based upon changes in actuarial assumptions and establishing a freeze in retiree current HRA amounts, which reflects the current practice. Board Members then asked several clarifying questions. On a motion by Vice-Chair McCartney, seconded by Trustee Bell, the Board unanimously voted to freeze the OPEB HRA benefit amounts at the current level (Vote=7-0-0).
4. **FY2021 Board Officers Vote:** As reported during the June 2020 Board Meeting, the Board nominating committee nominated Mr. Don Morin to continue as the Board Chair and Dr. Brenda McCartney to continue as the Board Vice-Chair for FY2021. Chair Morin and Vice-Chair McCartney agreed to continue to serve in these positions for FY2021. On a motion by Trustee Bell, seconded by Trustee Collins, the board unanimously voted to approve the nominations as reported and agreed upon (Vote=7-0-0).

C. INFORMATION/DISCUSSION ITEMS:

1. **Foundation Capital Fundraising Presentation:** President Midcap and Ms. Cherie Krug, Executive Director of the Garrett College Foundation and Director of Development for Garrett College, presented information to the Board regarding the CEPAC Campaign. They reviewed the rationale, the campaign theme (which is the same theme used for the STEM Building campaign), support for music programming, feasibility study, naming rights, and the campaign goal to sustain the building in the future. President Midcap further noted that Dean Julie Yoder and Ms. Mary Callis, CEPAC Executive Director will provide a CEPAC Business Plan update during a board meeting this fall.

2. **MHEC CC5 Report:** This document was emailed to board members along with the July Board Agenda packet. The MHEC CC-5 Report is essentially the College Budget in an Annual Budget Report Format as required by the Maryland Higher Education Commission (MHEC). This information is for Board review only as the FY2021 Budget was approved during the June 2020 Board Meeting.
3. **Report of the Chair of the Board:** No report.
 - a. **Upcoming Events:** No updates.
4. **Report of Board Members:** No report.
5. **Report of the President of the College:** President Midcap reported that a decision has been made to cancel the August Board Meeting and bring any necessary budget amendments to the board in September for review and approval. He then reported on the upcoming CEPAC Groundbreaking Ceremony, provided updated information on the on-campus Health Center partnership with Garrett Regional Medical Center, provided COVID updates, provided information related to a new Senior Leadership Team at the College, and discussed the NJCAA and intercollegiate athletic challenges for the fall and spring semesters.
6. **College Administrative & Financial Reports**
 - a. **College Administrative Reports:** Board members asked several clarifying questions regarding the previously distributed reports on file.
 - b. **Garrett College Monthly Financial Reports:** There were no updates to the previously distributed reports on file.
- D. **EXECUTIVE SESSION:** On a motion by Trustee Collins, seconded by Trustee Bell, the Board unanimously recessed the Open Session at 6:15 p.m. for the purpose of convening an executive session to discuss the following matters (*see also the attached Exclusionary Basis for Closing a Meeting Sheet*) and related exceptions covered under the Maryland Open Meetings Act (Vote=7-0-0): Foundation Capital Fundraising (2); EEOC Complaint (2); Personnel (1); President's Evaluation (1); Board Self-Evaluation (1).
- E. **ADJOURNMENT:** The board did not reconvene the open session and the Executive Session adjourned at 6:38 p.m. on a motion by Trustee Bell, seconded by Trustee Rush (Vote=7-0-0).

Summary of the July 21, 2020 Board Executive/Closed Session Meeting:

A closed session of the Garrett College Board of Trustees was held on Tuesday, July 21, 2020 in the College Board Room. The purpose of this session was to

discuss confidential matters related to the Foundation Capital Fundraising campaign, an EEOC Complaint, Personnel, President's Evaluation, and Board Self-Evaluation.

Each board member voted to close the session pursuant to the Maryland State General Provisions Article, Title 3-Open Meetings Act. Six board members were present for this closed session (see the "roll call" section of the minutes for details). Dr. Richard Midcap-President and Ms. Cherie Krug, Executive Director of the Garrett College Foundation and Director of Development for Garrett College, were also present for this meeting.

Respectfully submitted by:

Richard Midcap, Ed.D.
President, Garrett College
Secretary/Treasurer, GC Board of Trustees

Don Morin
Chair
Garrett College Board of Trustees

EXCLUSIONARY BASIS FOR CLOSING A MEETING: The Board of Trustees of Garrett College adheres to the Open Meetings Act of the State of Maryland. The topics discussed and the exclusions permitting the Board to meet in closed session are stated below: **Date:** July 21, 2020 **Time:** 6:38 p.m.

Location: Garrett College, Bd. Rm #102 **Motion By:** Trustee Bell **Seconded By:** Trustee Rush

Vote to Close Session:

BOARD MEMBER	AYE	NAY	ABSTAIN	ABSENT
Mr. Don Morin, Chair	√			
Dr. Brenda McCartney, Vice-Chair	√			
Ms. Vianne Bell	√			
Ms. Madeleine Collins	√			
Mr. Jason Rush	√			
Ms. Linda Sherbin	√			
Mr. Duane Yoder	√			

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, Title 3-Open Meetings Act –

CHECK ALL THAT APPLY:

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds.
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- (15) Cybersecurity

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

Capital Campaign (2)	EEOC Complaint (2)	President’s Evaluation (1)
Personnel (1)		Board Self-Evaluation (1)

This statement is made by Mr. Don Morin, Board Chair

Signature of Presiding Officer: Signature on file in President’s Office