

GARRETT COLLEGE BOARD OF TRUSTEES
MEETING MINUTES
April 16, 2024
McHenry, Maryland and Via Zoom

A. COMMUNICATION ITEMS:

1. **Call to Order and Attendance:** Chair Don Morin, who attended the meeting via Zoom, called the meeting to order at 5:48 p.m. Other Board Members in attendance included: Mr. Jason Rush-Vice-Chair, Ms. Madeleine Collins, Mr. Kurt Heckman, Ms. Karen Myers, Mr. Gary Ruddell and Mr. Duane Yoder. College Administrators in attendance included: Dr. Richard Midcap-President, Ms. Christa Bowser, Ms. Janis Bush, Dr. Robert Kerns (via Zoom), Ms. Cherie Krug, Ms. Shelley Menear, Ms. Dallas Ouellette, Mr. Chris Painter, Dr. Kelli Sisler (via Zoom), and Ms. Julie Yoder. Guests present included: Mr. Richard Lewis-Faculty Senate Co-Chair, Mr. Stacy Miller-Faculty Senate Co-Chair, Mr. Andy Durst-Staff Senate Co-Chair, and Ms. Samantha Preaskorn (via Zoom)-Student Representative with the Campus Advisory & Activities Board.

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

3. **Faculty Senate, Staff Senate, and Campus Advisory & Activities Board (Student) Updates**

CAAB: Ms. Samantha Preaskorn, CAAB Student Representative, reported that CAAB is wrapping-up the spring semester with the following events: Coffee Mondays, Tie Dye Event, and various Spring Fling Activities. Event details should be distributed via fliers and email soon.

Faculty Senate: Mr. Richard Lewis, Faculty Senate Co-chair, reported that the last meeting was held on April 5th. Members reviewed the Tuition Assistance updates from HRC, selected student award recipients for commencement, and held elections for open governance and leadership positions. Mr. Lewis and Mr. Miller will continue to serve as Faculty Senate Co-chairs for FY25. The next Faculty Senate Meeting is scheduled to be held on Friday, May 3rd. President Midcap will attend to review the Strategic Plan with Faculty.

Staff Senate: Mr. Andy Durst, Staff Senate Co-Chair, reported that Staff Senate will be reviewing the Tuition Assistance updates from HRC and the ballot for open governance positions at the meeting scheduled this Friday, April 19th. President Midcap will attend the May 17th Staff Senate Meeting to review the Strategic Plan with Staff Members.

4. **Approval/Changes to the Agenda:** On a motion by Trustee Heckman, seconded by Trustee Ruddell, the Board unanimously approved the Board Agenda as distributed (Vote=7-0-0).

B. CONSENT AGENDA: President Midcap noted a few updates to the Procurement Policy that were missed prior to distribution on Page 4 (change “less” to “more” in the first sentence of section iii) and Page 6 (under section f. Bond and Insurance Requirements – change \$50,000 to \$100,000 under i and ii). On a motion by Trustee Yoder, seconded by Vice-Chair Rush, the Board unanimously approved the Consent Agenda with the Procurement Policy amended as noted above and the remaining agenda listed below (Vote=7-0-0):

1. Approval of the minutes from the March 19, 2024 Board Meeting
2. Procurement Policy-Mandated Update
3. HR Manual Update

4. Conferral of Degrees/Certificates for May 2024 Commencement
5. Healthcare Plan Agreement Amendment

C. ACTION ITEMS:

1. **FY24 Budget Amendment #2:** President Midcap and Dean Ouellette noted that the FY24 Budget Amendment #2 included the following:
 - Decrease in tuition revenue and in contingency funds;
 - Adjustment for a faculty position that was not filled in FY24 and an increase in adjunct costs due to this vacancy;
 - Funding of the athletic feasibility study;
 - Adjustments for multiple special budget requests, including: purchasing a new security vehicle, funding of much-needed custodial equipment, funding a project to update a mailing list for Continuing Education and Workforce Development; funding overtime for a student advising position to account for an employee on leave; funding increased adjunct rates for the spring semester, purchasing new equipment for CARC to replace broken machine; and funding a renovation of the business office space.

After accounting for the adjustments above, the College removed \$82,585.80 from the FY24 contingency, which will leave roughly a \$25,000 contingency. Board Members were also provided a spreadsheet that reflects the original budget, budget amendments, and the amended budget for FY24. On a motion by Trustee Myers, seconded by Trustee Ruddell, the Board unanimously approved the FY24 Budget Amendment #2 as distributed and discussed above (Vote=7-0-0).

2. **400 Building Renovation Contract Approval:** President Midcap reported that the College's original plan was to renovate the entire 400 Building as part of a \$2.5 million project. Plans changed when the bids came in well over that budget. The College asked Daikin to revise the project to include just the kitchen, café, lobby, and restrooms as a Phase I, leaving the student affairs wing as a Phase II. This change reduced the Phase I project to \$2.489 million. Daikin Applied, the design-build contractor, provided a detailed timeline, by activity, including lead time for appliances, that permits them to do the renovation from May 15th to August 15th. The College attorney reviewed the contract and had no concerns with executing it. The administration did originally have some questions on ensuring compliance with state regulations with regard to performance and payment bonds. At the College's request, Daikin agreed to add language to the contract specifically noting that all Daikin subcontractors above \$75,000 require performance and payment bonds with the College listed as co-owner. A second clause was added that Daikin Corporate will not allow the local office to recognize the project as complete and receive payment until written final acceptance from the College.

President Midcap then recommended that the Board of Trustees approve the contract for the 400 Building, Phase I, with the added language relating to performance and payment bonds. On a motion by Trustee Heckman, seconded by Trustee Myers, the Board unanimously approved the 400 Building Phase I Renovation as discussed and described above with Daikin Applied for \$2.489 Million (see specific details noted above). Motion passed (Vote=7-0-0).

D. INFORMATION/DISCUSSION ITEMS:

- 1. Strategic Plan Update-Timeline:** President Midcap reported that the College is preparing to enter an important year – concluding the FY21-25 Strategic Plan, and building the FY26-30 Strategic Plan. As part of those preparations, College administrative staff members will conduct Strategic Plan Reviews with College Council (May 3rd), Faculty Senate (May 3rd), and Staff Senate (May 17th).

The documents listed below (copies available upon request) will assist College personnel as they prepare for the upcoming discussions:

- **FY2021-25 Strategic Plan (original version):** This is the version of the Strategic Plan originally approved by the Board of Trustees in 2021.
- **SP Goal 4 Revisions for BoT Consideration:** This contains (and explains) the changes to Goal 4, which were approved by the Board of Trustees this past winter.
- **Strategic Plan FY23 Summary and FY24 Initiatives:** This is the most recent Strategic Plan Update provided to the College community.
- **FY2026-30 Strategic Planning Timeline:** This is the calendar the administration is using to ensure the FY2026-30 plan is ready for launch on July 1, 2025.

He further noted that building, implementing, evaluating, and adjusting the strategic plan is one of the most important activities the College uses to fulfill our educational and community missions. President Midcap has also encouraged both Faculty and Staff to be actively engaged in this process.

- 2. FY25 Draft Budget Summary and Presentation:** President Midcap reported that the Board received the first draft of the FY25 Budget, along with a budget memo, last week via email. Dean Ouellette then summarized the following key points from the draft budget:
 - Best practices for the budget process
 - Summary of revenue and expenditures
 - Spending priorities that include: funding Year 3 of a compensation plan to address the minimum wage increase and Maryland Blueprint impacts; funding strategies to increase enrollment and retention; effectively partner with the Garrett County Public Schools in Blueprint implementation; and maintenance and enhancements for the College's infrastructure, including IT and facilities.
 - Budget alignment w/institutional goals
 - Fund balance report
 - Construction Capital Budget
 - Special budget requests
 - Employee numbers and related costs

Once the College has confirmation of the County decision regarding the local share, the College will update the draft budget accordingly and notify the Board. The final FY25 Budget will be voted on during the June Meeting.

3. Report of the Chair of the Board

- a. Upcoming Events:** There were no updates to the previously distributed list of upcoming events.

- b. **Reminder-State Ethics Commission Forms:** Chair Morin reminded Board Members to file the Financial Disclosure Forms by the April 30th deadline with the Maryland State Ethics Commission.

4. **Report of Board Members:** None.

5. **Report of the President of the College:** President Midcap publicly commended our Facilities Department – especially Chris Painter, Hugh Schrier, and Eric Swearngen – for the ongoing facilities renovations and deploying State Facilities Renewal Grant funding to address our most pressing needs. All major campus buildings with the exception of the 100 Building, the gym, and the STEM have had new HVAC systems installed over the last three years. The 600 Building is getting a new roof this spring. The 700 Building is getting a new roof and windows. A new generator is being installed in the 300 Building. The turf field press box will be finished out this year along with putting finishing touches on the turf field, including some landscaping and fence work. President Midcap said the College has come a long way in addressing capital infrastructure needs.

The President also reported on issues related to the Federal FAFSA (Free Application for Federal Student Aid) revamp/simplification project. The Federal Government was trying to simplify a process for students to apply, and it has actually delayed the timeframe that colleges are receiving these student financial applications. The Financial Aid Office normally receives 1,000 applications by now, but has only received approximately 350 to date. Until we have complete applications, our financial aid staff cannot award institutional scholarships. So, this new process is also causing issues with local senior award ceremonies. The College will likely not be able to announce scholarship recipients this year at each respective high school in the area. President Midcap wanted the Board to be aware of this issue in case they hear about it in the community.

6. **College Administrative & Financial Reports**

- a. **College Administrative Reports:** There were no questions or updates to the previously distributed reports on file.
- b. **Garrett College Monthly Financial Reports:** There were no questions or updates to the previously distributed reports on file.

- E. **EXECUTIVE SESSION:** On a motion by Trustee Myers, seconded by Trustee Heckman, the Board unanimously recessed the Open Session at 6:24 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): Food Service (2), Garrett County Scholarship Program Update (2), and Athletic Campaign (2).
- F. **NEXT REGULARLY SCHEDULED MEETING:** The next meeting of the Garrett College Board of Trustees is scheduled for May 21, 2024 at 5:30 p.m. in the GC Board Room #102.
- G. **ADJOURNMENT:** The Board did not reconvene the Open Session and adjourned the Executive Session at 6:44 p.m. on a motion by Vice-Chair Rush, seconded by Trustee Myers (Vote=7-0-0).

Summary of the April 16, 2024 Board Executive/Closed Session Meeting: A closed session of the Garrett College Board of Trustees was held on Tuesday, April 16, 2024 in the Garrett College Board Room. The purpose of this session was to discuss confidential matters regarding Food Service, the Garrett County Scholarship Program Update, and the Athletics Campaign.

Each board member voted to close the session pursuant to the Maryland State General Provisions Article, Title 3-Open Meetings Act. Seven board members were present for this closed session (see the “roll call” section of the minutes for details). College Administrators present for this session included: Dr. Richard Midcap-President, Ms. Dallas Ouellette-Dean of Business & Finance, and Ms. Cherie Krug-Director of Development/Executive Director of the Garrett College Foundation.

Respectfully submitted by:

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

Mr. 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:** April 16, 2024 **Time:** 6:24 p.m.

Location: Board Room #102 & Zoom **Motion By:** Trustee Myers **Seconded By:** Trustee Heckman

Vote to Close Session:

BOARD MEMBER	AYE	NAY	ABSTAIN	ABSENT	TOTALS
Mr. Don Morin, Chair	√				
Mr. Jason Rush, Vice-Chair	√				
Ms. Madeleine Collins	√				
Mr. Kurt Heckman	√				
Ms. Karen Myers	√				
Mr. Gary Ruddell	√				
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:

Food Service (2)	Garrett County Scholarship Program Update (2)
Athletic Campaign (2)	

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

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