

**GARRETT COLLEGE BOARD OF TRUSTEES**  
**MEETING MINUTES**  
**May 16, 2017**  
**McHenry, Maryland 21541**

**A. COMMUNICATION ITEMS**

- 1. Call to Order and Attendance:** Chair Bell called the meeting to order at 5:35 p.m. Other Board Members present included: Mr. Don Morin-Vice-Chair, Ms. Madeleine Collins, Dr. Brenda McCartney, Ms. Linda Sherbin, and Mr. Duane Yoder. Trustee Rush was absent. College Administrative Staff Members present included: Dr. Richard Midcap-President, Ms. Janis Bush, Dr. Sarah Garrett, Mr. Randall Bittinger, Ms. Cherie Krug, Ms. Julie Yoder, and Dr. Qing Yuan. Mr. James Allen was absent.
- 2. Communication from the Public:** Mr. Loren Bowser-Instructor of Building Trades/Carpentry at Southern High School, Christa Bowser-Faculty Senate Co-Chair and Associate Professor of Biology at Garrett College, and Dowain Ford-Instructor of Engineering at Southern High School attended the meeting to present the new College Mace to the President and Board Members.

Ms. Bowser explained that the current mace used by the College was very basic and was in desperate need of updating. She asked her husband if his classes and co-workers could assist in designing and constructing an updated, appropriate mace for the College. Mr. Bowser, along with Mr. Dowain Ford and Mr. Jared Roth (Instructor for the Manufacturing and Engineering Classes) worked together to design and construct a new college mace (using a specialized walnut wood) around a college medallion designed and finished by local company Jesse's Signs & Designs DBA. These three gentleman and their classes put in over 100 hours of work on this mace for Garrett College. Dr. Midcap and the Board were very appreciative of the efforts that went into this new mace. It will be used this weekend at commencement and then proudly displayed on campus.

- 3. Approval/Changes to the Agenda:** Chair Bell reported that the following agenda item would be added to the Executive Session Meeting to be held later this evening: President Evaluation. On a motion by Trustee Collins, seconded by Trustee Sherbin, the Board approved the Open Session agenda as distributed (Vote=6-0-0).
- 4. CONSENT AGENDA:** Chair Bell noted a typographical error on page two of the April 18, 2017 meeting minutes. The date for the President's Circle under section 7.c. should be April 26, 2017 instead of May 26, 2017. On a motion by Trustee Collins, seconded by Trustee Sherbin, the Board approved both sets of minutes with the above noted correction on page two of the April 18<sup>th</sup> minutes (see votes listed below).

- a. Approval of the minutes from the regular meeting on April 18, 2017 (Vote = 6-0-0)
- b. Approval of the minutes from the May 4, 2017 Special Meeting (Vote=4-0-2)

**5. Report of the Chair of the Board**

- a. **Upcoming Events:** Chair Bell highlighted the following events and encouraged board members to attend: The All-College Forum that will be held tomorrow morning in the auditorium at 9 a.m.; the Commencement Ceremony to be held on Saturday, May 20<sup>th</sup> at 10:30 a.m.; and the Employee Recognition Luncheon next Wednesday, May 24<sup>th</sup> at 11:30 a.m. in the Special Events Center.
  - b. **Selection of Nominating Committee for Board Officers:** Chair Bell nominated the following Board Members to serve on the Board Officer Nominating Committee: Trustee McCartney, Trustee Sherbin, and Trustee Yoder. Board Officers would be voted on during the July 18<sup>th</sup> Annual Board Dinner Meeting.
  - c. **Select location for Board's Annual Dinner Meeting in July:** The Board asked Ms. Knepp to try and reserve meeting space at Dutch's at Silver Tree for the Annual Board Dinner Meeting on July 18, 2017.
- 6. Report of Board Members:** None at this time.
- 7. Report of the President of the College:** Dr. Midcap summarized the current FY2017 budget and draft FY2018 budget (See notes under items 7.a. and 7.b. below).
- a. **Garrett College Financial Reports through April 30, 2017:** Dr. Midcap discussed the current FY2017 budget and noted that the revenue targets would not be met. Budget managers have been asked to conserve and closely monitor their budgets through the end of the fiscal year.
  - b. **Draft FY2018 Budget:** Dr. Midcap reported that the draft FY18 budget that was presented to the Board in April has been placed on the College Intranet for employees to also review. He then highlighted the following items: revenue figures will be adjusted downward in FY18; this budget assumes that we will fill all current positions and also add a benefits clerk, education faculty, and a position in athletics (which he summarized in detail). He then noted that our insurance was recently rebid by VP Bittinger saving the College money as well as adding cybersecurity insurance. The final budget documents will be emailed to board members to review prior to the June 18, 2017 meeting where a formal vote will be taken.

- c. **College Administrative Reports:** Board members asked related questions regarding the CEPAC Building Project, Facilities Master Plan, OPEB, and Federal Funding.

**B. DISCUSSION ITEMS/ACTION ITEMS:**

1. **Policy #1004-Responsibility of the CFO to Report Improprieties:** President Midcap summarized the policy and noted that the Facilities, Finance, Safety, and Technology Governance Committee is also drafting a “whistleblower” policy to accompany this policy. On a motion by Vice-Chair Morin, seconded by Trustee Collins, the Board unanimously approved Policy #1004 (Vote=6-0-0).
2. **Policy #6002-Federal Award Requirements:** Vice President Bitteringer explained this policy in detail and answered related questions. On a motion by Trustee Sherbin, seconded by Vice-Chair Morin, the Board unanimously approved Policy #6002 (Vote=6-0-0).
3. **Education Faculty Position (full-time):** Board Members received a recommendation to hire Mr. John Taylor to a 10-month faculty contract as the Assistant Professor of Education with the condition of a successful background check. If approved, Mr. Taylor would begin his employment on August 21, 2017. On a motion by Trustee McCartney, seconded by Trustee Morin, the Board unanimously approved the recommendation to hire Mr. John Taylor contingent upon a successful background check (Vote=6-0-0).

- C. **EXECUTIVE SESSION:** On a motion by Trustee Sherbin, seconded by Trustee Collins, the Board unanimously recessed the Open Session Meeting at 7:10 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=6-0-0).

1. College Legal Counsel Contract (2)
2. Potential Litigation (8)
3. President Evaluation (1)

- D. **ADJOURNMENT:** The Board did not reconvene the Open Session Meeting and the Executive/Closed Session Meeting adjourned at 7:50 p.m. via acclamation.

**Summary of May 16, 2017 Closed Session Meeting:** A closed session of the Board of Trustees was held on May 16, 2017 at 7:40 p.m. in the College Board Room #127 after a short recess for dinner. The purpose of the session was to discuss the confidential College Legal Services Contract, Potential Litigation, and the President Evaluation and FY2018 Goals. Each Board Member present voted to close the

session pursuant to the Maryland State General Provisions Article §3-305(b). Six Board Members were in attendance for the closed session (*see page 1 for Call to Order and Attendance information for Board Members*). Dr. Richard Midcap, President of Garrett College, was also present for this session.

**Respectfully submitted by:**

---

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

---

Vianne Bell  
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:** May 16, 2017 **Time:** 7:10 p.m.

**Location:** Garrett College, Rm #127 **Motion By:** Trustee Sherbin **Seconded By:** Trustee Collins

**Vote to Close Session:**

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

**STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article §3-305(b) (formerly State Government Article, §10-5089A)); MD Code; Title10-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.

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

1. College Legal Counsel Contract (2)	
2. Potential Litigation (8)	
3. President Evaluation (1)	

This statement is made by Board Chair, Ms. Vianne Bell

Signature of Presiding Officer: (Signature/original form is on file in the President’s Office at GC).