

Allegany College of Maryland  
BOARD OF TRUSTEES  
MINUTES  
March 16, 2020  
4 p.m.

PUBLIC SESSION

The Board of Trustees met Monday, March 16, 2020, at 4 pm in the Board Room. Members present included Mr. Kim Leonard (Chair), Ms. Jane Belt (Vice Chair), Ms. Mirjhana Buck (by phone), Ms. Joyce Lapp, Mr. James Pyles, and Dr. Cynthia Bambara (President and Secretary/Treasurer).

Others in attendance:

VP David Jones	VP Christina Kilduff	VP Kurt Hoffman
Melinda Duckworth	John Bone	Nicole Frost
Sandi Foreman	Bobbie Cameron	

**Approval of Minutes**

The Trustees approved the February 17, 2020, minutes on a motion and second by Ms. Belt and Ms. Lapp, respectively.

**Chairman's Update**

Mr. Leonard reviewed the upcoming events list and noted the cancellations and postponements. He asked everyone to think of ways to help our community during the COVID-19 pandemic.

Mr. Pyles said a press release is to go out today. The greatest threat in the local area is at the prison. Inmates' temperatures are checked daily.

**President's Update**

Center for Mind/Body Medicine

One event that did go on as planned was the CMBM trainings. Through the Maryland Opioid Operation Command Center, the College was awarded a prevention and education grant in the amount of \$443,274.92 for its *Tackling the Opioid Epidemic: From Crisis to Opportunity* project. The project utilizes the Center for Mind/Body Medicine's evidence-based model of group support and self-care skills to deal with stress, trauma, and chronic mental health/health issues.

The training was planned in two parts. (February 7-10 and March 12-15). The training concluded yesterday with approximately 150 individuals from around the region who are prepared to facilitate small group trainings.

The grant will fund educational events, trainings and mentorship through the ACM Center for Continuing Education and Workforce Development for more than 2,000 individuals in Allegany County and across the state.

Special thanks to Cherie Snyder, project director, and Kathy Condor, program coordinator, who successfully facilitated this work.

### Bedford County Regional Education Foundation (BCREF) EITC Donation

The BCREF received a \$500,000 EITC donation which can be used for Early College Students, allowing students to attend Early College opportunities at no cost, including books and fees. Other Early College operational costs can be supported by these funds as well.

### Heliport

ACM is working with UPMC Western Maryland on a temporary heliport while the hospital heliport is out of service. Details of the MOU are forth coming.

### Mental Health Services

ACM is working with UPMC Western Maryland to bring mental health services on campus using their licensed counselors. They are allowing us to be flexible and make the most efficient use of our resources. The plan is to provide more hours during peak times and use our off-campus resources during slower times.

### MACC Legislation

As expected, the House Appropriations Committee upheld the recommendation of the Education & Economic Development subcommittee to restore \$14.6M of the \$18.2M that was rescinded from the 2021 state aid to community colleges through the BRFA – SB 192. Earlier this month, the Senate fully restored the \$18.2M reduction in our Cade funding. As of today, the House has reduced the full restoration by \$3.6M. If the Senate adopts the House amendments on the budget (of which there are numerous differences beyond Cade), there will be no conference committee and the budget will stand as amended by the House. However, it is likely that Senate will refuse the House amendments and conferees will be appointed over the weekend to resolve budget differences.

### Opportunity Scholarship

Mr. Jones and Dr. Bambara visited with Commissioner Shade regarding the Opportunity Scholarship. He has assured us that the Commissioners are supportive of this program.

### Budget Presentation

Mr. Leonard, Ms. Belt, Mr. Jones, Ms. Kilduff and Dr. Bambara presented the ACM FY2021 budget to the Allegany County Commissioners on Thursday, March 12, 2020. The request was for level funding (maintenance of effort) so that the College can receive the increases that may be available from the State.

### WCI Ground Breaking

Construction on the WCI Building has begun. The contractors have delivered trailers and equipment. Site work is in progress. The plan is for either a ground-breaking ceremony in the near future or a ribbon-cutting ceremony when construction is complete. We are working with Senator Edwards office to set a date.

### Phi Theta Kappa

Dianne Maust was chosen as the New Century Scholar for Workforce Development. She will speak at the All Maryland Awards banquet and another banquet where she will receive her award. Dianne is a second year Massage Therapy student as well as a registered nurse.

### COVID-19 Update

Maryland Governor Larry Hogan announced new aggressive measures to mitigate the spread of COVID-19 on March 12 following Maryland's first case of community transmission. Daily, the Governor is issuing additional measures.

In response to this ever-evolving health crisis, ACM is:

- extending Spring Break through Sunday, March 22. This includes current online courses. All credit courses will be online from Monday, March 23 until at least Sunday, April 5.
- suspending non-credit classes and trainings through the ACM Center for Continuing Education and Workforce Development beginning Monday, March 16 through Sunday, April 5. This includes ACM workforce trainings offered through the Bedford County Technical Center.
- in the process of holding information sessions for faculty and staff.
- examining HR policies to accommodate the rapidly changing environment.

At this time, the College will remain open to support our students and business operations. The leadership continues to assess the situation and additional measures that require implementation.

### Cancellations

At the beginning of the month, Dr. Bambara's calendar was filled with extensive travel beginning with this Thursday. Everything has either been cancelled or moved to virtual forums.

- American Association of Community Colleges (AACC) Conference—canceled. Autumn Becker and Dr. Bambara will not be presenting on the IT Center of Excellence.
- Cherie Snyder will not receive her prestigious award at the meeting.

The President's inbox is filled with cancellations of meetings and community events.

### **Special Emergency Authority to Act**

Dr. Bambara requested the following specific authorization from the Board of Trustees due to the Coronavirus Pandemic that is facing our nation at this time:

- expand the number of days an employee may be absent for illness without a doctor's note from 3 to 5.
- advance sick leave to employees who do not have any sick time.
- authorize telework. The Vice Presidents will identify which positions can telework and for what period of time.
- authorize the President to declare a college closure, if she deems it necessary after consultation with the President's Staff.
- expect any employee who can work remotely during a forced closure to work. And, require them to take sick, personal or vacation leave if they cannot work for any reason.
- pay all employees during a complete closure up to a month (if it comes to that), including temporary staff and work-study students, even if they cannot work remotely, except part-time instructors who cannot work will be expected to complete their coursework after the college reopens.
- temporarily authorize the President to make emergency decisions that contradict established Board policies as outlined in the College Policy and Procedures Manual, if the President deems it necessary for continuity of operations or for the safety of students and employees during the term of the State of Emergency declaration by either the Governor of Maryland or the President of the United States.

### **Humanities Building Roof Restoration**

To avoid any conflict of interest, Ms. Belt recused herself from the meeting during the discussion of this agenda item. Ms. Kilduff said five sealed bids were received and opened February 25, 2020, at noon and were tabulated and reviewed by ACM personnel.

The Tremco representatives informed ACM personnel that they are very comfortable with working with many of the bidders, including the two lowest bidders on this project. ACM staff after consultation with the

TREMCO representative Bruce Mancini and the architect decided to reach out to the low bidder in an attempt to value engineer the project to cut costs. Hite Roofing agreed to re-look at the project to try to cut costs, without negatively impacting project results.

On February 27, 2020, Hite submitted a value-engineered bid of \$495,215 with project savings of \$31,785 for ACM. It is recommended that the Board approve selection of the value-engineered bid from Hite Roofing in the amount of \$495,215 for the Humanities Building roof restoration project with a 30-year warranty option (low bid). The project savings were justified by omitting the need to use TREMCO materials for perimeter and field repairs, and allowed the use of compatible in-kind materials on the job.

The value-engineered bid, plus architecture and design fees result in a total project cost of \$515,725. Total ACM FY20 State facilities renewal grant funds were only \$475,000 resulting in the remaining \$40,725 needing to come from College Plant funds. The State funds are to be spent by June 30, 2020.

Following a motion from Mr. Pyles and second from Ms. Lapp, the Trustees approved the selection of the value-engineered bid from Hite Roofing in the amount of \$495,215 for the Humanities Building roof restoration project, with a 30-year warranty option (low bid). As part of this motion, the Trustees also approved the recommendation to allow the College to move forward with an applicable contract with Hite Roofing in conjunction with project manager, Tremco, Inc., to manage and complete the Cumberland Campus Humanities Building roof restoration project.

### **Technologies Building Phase II Project**

To avoid any conflict of interest, Ms. Belt recused herself from the meeting during the discussion on this agenda item as well. Ms. Kilduff explained that upon receiving approval from the Department of General Services to bid out the project, the job was advertised February 4, 2020, through ads in the local newspapers, college website, and eMaryland Marketplace. A mandatory pre-bid meeting followed on February 11, 2020, and was attended by nine general contractors along with one sub-contractor. All contractors had the opportunity to submit questions and receive responses back which were communicated to everyone.

Three contractors submitted sealed bids March 13 which were all under budget. The low bidder was Harbel, Inc. who already has an established relationship with ACM, including the construction/renovation work for Project I, and who understands the challenges of the Technologies Building.

Following a motion by Ms. Lapp, and a second by Mr. Pyles, the Trustees approved the lowest bid of \$5.57M (base bid) with \$672,744 (equipment) from Harbel Inc. for Phase II of the Technologies Building project and allow College personnel to enter into an applicable contract.

### **College Non-Operating Funds Transfer**

On a motion by Ms. Lapp and second by Mr. Pyles, the Trustees approved the transfer of \$750K from the College Student Grant Fund to the ACM Foundation in order to create a new endowed scholarship fund. The Foundation would establish necessary criteria for the new Foundation Scholarship endowment fund in order to support both financial gap scholarships for students coming from outside the local area, as well as the Presidential, Honors, Athletic Achievement, and College Achievement Scholarships.

### **Additional Funding for New WCI Building**

Ms. Kilduff provided background for additional funding that ACM needs to contribute toward construction of the new WCI Adaptive Community and Workforce Training Facility construction project. As part of the grant application and award, the College agreed to contribute \$500,000 as its grant match (Board approved

fund balance designation), but it did not budget any additional operating dollars for this project, as initial cost estimates did not anticipate the necessity for additional college funds. The State awarded \$1.65M for this construction project, making the approved available dollars for the project, \$2.15M. Now that the construction project bids have been received, total design and building project costs are estimated at \$2.6M, leaving an anticipated shortfall of up to \$450K. ACM must identify other funding for the shortfall in available project funds. The College has non-operating and auxiliary funds that could be used to fund the anticipated shortfall for this project.

Due to a new accounting pronouncement (GASB Statement No. 84, Fiduciary Activities), previously designated ACM fund 13 funds (agency funds) will now need to be reported on our financial statements along with (not separate from) general College controlled operating funds. In order to assist with this conversion for financial statement purposes, ACM staff would like to move the balances from all Agency Funds, including the Student Grant Fund and General Auxiliary Fund to the Plant Fund to be used for ACM building, and infrastructure repair and replacement projects.

These upcoming Plant Fund projects include funding for the Technology Building renovation Project I change orders, and the Local Share of Technology Building renovation Project II furniture, fixture and equipment (FF&E) purchases. The County has not provided enough funding for Technology Building Project II, so the College will need to provide the local share match in order to leverage available State FF&E dollars. The Plant fund can also be used to fund the project budget shortfall for the new WCI Building.

It is recommended that the Board approve the transfer of the residual balance of the General Auxiliary Fund (approximately \$194K) to the Plant Fund to support College building and infrastructure projects, including the projected budget shortfall for the new WCI Adaptive Community and Workforce Training Facility building project.

It is also recommended that the residual funds left in the Student Grant fund (approximately \$32K) after the transfer of \$750K to the ACM Foundation for an endowed Scholarship Fund be transferred to the Plant Fund to support College building and infrastructure projects.

Following some discussion with Ms. Lapp and Ms. Buck who offered suggestions to the recommendation, Mr. Leonard requested giving authority to Ms. Kilduff and Mr. Jones to use their discretion to invest the monies when appropriate. On a motion and second by Mr. Pyles and Ms. Belt, the Trustees approved the amended recommendation.

### **Phone System Purchase**

Ms. Kilduff provided information that the current NEC phone equipment used by the College was deemed by the provider to be at the end of its useful life. Last fall the Board approved \$200K to be designated in fund balance for the purchase of a new phone system.

The Information Technology (IT) Department identified three viable solutions to replace the current system. As part of the vetting process, the IT Governance Committee reviewed each option for its feature set, ease of use, maintenance/service plan, and cost. After a demonstration of the Sangoma phones, the IT Governance Committee recommended the purchase of the Sangoma phone equipment.

While it would be ideal to replace the whole system at one time, the limited number of IT staff with phone experience makes this option unrealistic. Instead, a phased rollout will give the department time to learn the new system including the software to manage the equipment, as well as allow the IT staff to learn how

to program the handsets in order to roll them out across the institution. The initial phase I purchase of \$49,939 will consist of the PBX appliances and applicable support and warranties, and auto-attendant, along with 40 phone handsets. Additional purchases over time for this system will total approximately \$200,000.

It is recommended that the Board approve the purchase of the Sangoma system in phases per above totaling up to \$200,000 and allow contracts to be signed as applicable. Following a motion by Ms. Belt and a second by Mr. Pyles, the Trustees approved the motion.

#### **HVAC Project for Bedford County Campus**

It is recommended that the Board approve the selection of the low bidder, Marc Services, Inc. for the HVAC system replacement and installation (\$162,000), along with the proposed Add Alternate (\$15,500) for the replacement of existing exhaust fans.

It is also recommended the Board to allow the College to move forward with an applicable contract with Marc Services, Inc. to manage and complete the Bedford Campus Facility Rooftop Units project, with project completion required before June 30, 2020. The Trustees approved the Bedford County Campus HVAC project following a motion and second by Ms. Lapp and second by Mr. Pyles.

#### **Western MD Makerspace Memo of Understanding (MOU)**

Ms. Kilduff explained the MOU between the Allegany County Commissioners and ACM for use of the Western Maryland Works Makerspace facility in LaVale to provide space to store machinery and equipment and to conduct ACM Continuing Education/Workforce Development classes in Advanced Manufacturing, Industrial Maintenance, and Welding. On a motion by Ms. Belt and second by Ms. Lapp, the Trustees approved the MOU.

#### **Somerset County Technology Center Lease Agreement**

On a motion by Mr. Pyles and second by Ms. Belt, the Trustees approved the lease agreement between the Somerset County Technology Center (SCTC) and ACM to locate the ACM Somerset Center office at the SCTC which will also include classroom space for Early College classes.

#### **Re-Designation of Special Student Fee Project Funds**

As part of the fund balance designation approval process in fall 2019, various athletic projects were proposed using the special student fee project funds that were approved by the Board. Dr. Hoffman explained the newly revised list of projects and requested the Trustees approve the re-allocation of special student fee funds for the new or revised Athletic Department projects. The Trustees approved the re-designation of fund balance monies following a motion by Ms. Lapp and a second by Mr. Pyles.

#### **Temporary Telework Policy**

On a motion by Ms. Lapp and seconded by Ms. Belt, the Trustees approved the Temporary Telework Policy and Application as presented by Ms. Duckworth. The policy will take effect March 16, 2020, and will be in effect until the Board of Trustees are requested to rescind the temporary policy.

#### **Whistleblower Policy**

Ms. Duckworth explained the Whistleblower Policy that is intended to encourage and enable ACM employees, students, volunteers, or persons professionally affiliated with the College to raise serious concerns internally so that the College can address and correct inappropriate conduct and actions.

Allegany College of Maryland encourages its employees and volunteers to submit complaints or reports about suspected illegal practices, serious violations of institutional policy, and/or violations of governmental regulations by the organization itself, its leadership, its other employees, third parties working on its behalf or under its control. Before submitting a complaint or report, the person must make a reasonable attempt to ascertain the accuracy of any information being reported. The Trustees approved the Whistleblower Policy on a motion and second by Ms. Belt and Ms. Lapp, respectively.

**Program Directors/Division Chairs & Assistant Directors/Chairs Updates**

Dr. Hoffman presented the list of Program Directors, Division Chairs, and Assistant Program Directors and Assistant Division Chairs since changes have occurred. Two changes noted were Ms. Robin Imgrund is the Business Division Chair and Dr. Donna Brunelli has been named as the permanent Science Division Chair. The Trustees requested future changes for these positions be presented to the Board for approval.

**Tour of the Welcome Center**

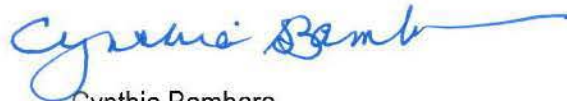
Mr. Jones provided a tour of the Welcome Center. He noted the furniture will be delivered later this week.

The Trustees adjourned the meeting at 5:35 p.m.

Respectfully submitted,



Kim Leonard  
Chair



Cynthia Bambara  
Secretary/Treasurer