

MINUTES: September 18, 2018

MEETING: NORTH FLORIDA COMMUNITY COLLEGE
MADISON, FLORIDA

TRUSTEES PRESENT: Mr. Mike Williams, Chair
Mr. John Grosskopf, President
Mrs. Sharon Benoit
Mr. Travis Coker
Mrs. Sandra Haas
Mr. David Howell
Mr. Ricky Lyons
Mr. Billy Washington
Mr. Al Williams
Mr. Gary Wright

STAFF PRESENT: Mr. Larry Akers
Mr. Andy Barnes
Ms. Cindy Gaylard, Recording Secretary
Ms. Kay Hogan
Mr. Scott Hubert, Audio Visual Technician
Mr. Bill Hunter
Dr. Cheryl James
Mr. Skip James
Dr. Carol O'Dell
Ms. Jennifer Page
Ms. Kim Scarboro

Mr. Robert J. Sniffen, Board Attorney

VISITORS: Ms. Savannah Reams, Greene Publishing

The Board meeting was called to order at 5:30 p.m. by Chairman Williams, who led the group in the pledge of allegiance to the flag following the opening prayer by Mr. Washington.

MOTION: (Mr. Lyons/Mr. Washington) That the District Board of Trustees approves to adopt the Revised Agenda as presented. The motion carried unanimously.

MOTION: (Mrs. Haas/Mr. Wright) That the District Board of Trustees approves the minutes of the July 30, 2018 Summer Workshop; and the August 21, 2018 regular Board meeting as presented. The motion carried unanimously.

MOTION: (Mrs. Haas/Mr. Lyons) That the District Board of Trustees approves the advertisement of a course fee increase for the following courses:

- BOT 1000C (Intro to Botany)

- EVR 1001 (Environmental Science)

After an overview by Ms. Page and discussion by the Board, the motion carried unanimously.

MOTION: (Mr. Washington/Mr. Coker) That the District Board of Trustees approves the nursing agreements between North Florida Community College and each of the following:

- Doctors' Memorial Hospital
- Florida Department of Health Madison and Jefferson
- Madison County School Board

After an overview by President Grosskopf, the motion carried unanimously.

MOTION: (Mr. Wright/Mrs. Benoit) That the District Board of Trustees approves to give signature authority to President Grosskopf or his designee for the CDL Third Party Administrator Agreement that was previously approved by the Board at the August Board meeting. After an overview by President Grosskopf and discussion by the Board, the motion carried unanimously.

Ms. Hogan provided information regarding College Preview Day that will be held on Saturday, October 20, 2018. She distributed copies of promotional materials for the event and extended an invitation to the Trustees to attend. She presented a brief video created by College Advancement regarding College Preview Day, and she expressed thanks and appreciation for the outstanding job of the College Advancement team did in creating the video.

A recommendation to advertise changes to the Policy Manual for Policy 4.120 – Sick Leave was tabled at this time.

MOTION: (Mr. Washington/Mrs. Haas) That the District Board of Trustees approves to amend the agenda to include Items IX-b-1 and IX-b-2. The motion carried unanimously.

MOTION: (Mr. Washington/Mr. Lyons) That the District Board of Trustees approves to authorize the College to change the Volunteer Life Insurance (paid by the employee) from Lincoln Financial to Sun Life Financial contingent upon the proposed final contract not materially deviating from the terms of the sample contract included in the proposal. Mr. Hunter advised that this will be a cost savings and better coverage for the employee. After an overview by Mr. Hunter, the motion carried unanimously.

MOTION: (Mr. Lyons/Mr. Al Williams) That the District Board of Trustees approves to authorize the College to change the Long Term Disability Insurance (paid by the College) from Lincoln Financial to Sun Life Financial contingent upon the proposed final contract not materially deviating from the terms of the sample contract included in the proposal. Mr. Hunter advised that this will be a cost savings of at least \$5,000.00 per year in premium plus an increase in benefits. After an overview by Mr. Hunter, the motion carried unanimously.

MOTION: (Mrs. Haas/Mr. Washington) That the District Board of Trustees approves the warrant list for August 2018 as presented. After an overview by Mr. Barnes and discussion by the Board, the motion carried unanimously.

The Revenue and Expenditure Report for August 2018 was presented as an item of information, as was the Statement of Account.

The 2017-2018 Annual Financial Report was presented as an item of information, and Mr. Barnes gave an overview.

MOTION: (Mrs. Haas/Mr. Howell) That the District Board of Trustees approves the budget transfer of \$400,000.00 from Fund 1 to Fund 7. Mr. Barnes advised that this will help with future Capital Outlay needs due to aging facilities and program growth. After an overview by Mr. Barnes, the motion carried unanimously.

Dr. James gave an update on her department of Development & External Affairs including a Quarterly Financial Report for April through June 2018. She discussed the following:

- 2018 Fall Term Scholarships
- College Advancement team doing excellent award-winning work, and Johnathan Cooks is coordinating the 2018 Awards of Excellence competition/entries for the Association of Florida College's Communications and Marketing Commissions, and entries will be judged on campus in September.
- Tonight will be her last Board meeting, and she expressed thanks and appreciation to the Board members for their donations to the Foundation, and she said the Foundation is doing great work and is helping students.

On behalf of the Board, Chairman Williams expressed thanks and appreciation to Dr. James for her service.

Dr. O'Dell distributed copies of the 2018 report from the **Great Colleges to Work For** survey and gave an overview of the report.

ATTORNEY TIME

Attorney Sniffen discussed the following:

- **Contracts Review** – We have reviewed and approved a great many contracts this month, and we appreciate the staff for giving us plenty of lead time. We've been working with Mr. Hunter on policies and procedures.
- **Lift Station Litigation** – The Board and attorneys had a Shade Meeting on September 11 to discuss the status of the litigation and the settlement discussions. Each Board member was given the charge to think about some of the things that were discussed.

President Grosskopf reviewed a timeline of occurrences regarding the lift station from the beginning up to the present. He said based upon his listening to the Board members and the notes he has taken from the Shade Meeting, he has identified three possible responses, and he asked Attorney Sniffen to explain those to the Board and crystalize them as options so the Board can take informed action tonight or defer taking any action whatsoever. He said the tremendous frustration that he has to share with the Board is that he does not know how to resolve this in terms of a collaborative approach anymore, as there has been no exhibition of good will on behalf of the City towards coming to a resolution to this, and it is very sad that 60 years of intense partnership seems to be incredibly shortsighted to discard over a claim of this magnitude.

Attorney Sniffen presented an overview of discussions from the Shade Meeting and commented that as the Board is aware we have outside counsel from Nabors, Giblin, & Nickerson representing the College in this case and that Heath Stokley of that firm was with the Board in the Shade Meeting at which time the Board members had opportunity to speak with him. He said one of the things that came up and was discussed in the Shade Meeting was: The City says that NFCC owns the Lift Station, but unbeknownst to the College, the City was allowing the County to plug into the Lift Station that the City claims NFCC owns. A question arose over if another customer is using the lift station that NFCC supposedly owns, why are we paying for the electricity to run the Lift Station when another customer (the County) is permitted to pump wastewater through this Lift Station that the City says NFCC owns. The Board directed Mr. Stokley to inquire of the City whether or not that could be made part of the settlement, and in response, the City Attorney indicated that a proposal from us to address the issue would not be brought back to the City Commission, that we have a deal on the table that, by the way, we didn't ask the City Commission to vote on. We were told that the City Attorney would take back to the City Commission language that would amend the Settlement Agreement of which the Board was provided a copy. He read the current language of Paragraph 3 of the proposed Settlement Agreement approved by the City as follows: "The College shall continue to provide, at the College's expense, electrical service to the Lift Station." He said that seemed like a common sense part of the agreement until we found out that someone else was using the Lift Station, so the language that has been proposed to include in the agreement, which he read to the Board, is as follows: "Presently, the Lift Station is used to pump wastewater from (1) the College; (2) the County Extension Office and the County Agricultural Building, which are all located on (the listed parcels). The City will not increase the wastewater being pumped through the Lift Station without either (1) obtaining the prior written consent of the College or (2) first assuming the obligation to pay for the electrical service to the Lift Station provided that any increase in any wastewater coming from the College shall not affect the College's obligation to pay for the electrical service to the Lift Station."

He said the first thing we could do is accept the language as amended to include the language that he just read to the Board. He said that is one option. The Board could accept the amended language, or we could go back and say we want to talk more about this electrical issue. Path (1) is continue on the road to negotiations; Path (2) is we need a judge to say whose Lift Station it is; Path (3) is the business model that says, okay, the City has disclaimed any right, title, responsibility in the Lift Station because they say it is the Colleges, and the College says fine, it

is ours. We drop the litigation, stop the bleeding of attorney fees, and the College operates a Lift Station now. With that would come certain powers of ownership, namely, because there is not an easement, the College decides who gets to plug in and who doesn't get to plug in. He said he thinks that would necessarily require going to the County. If there is an easement, the Board would be in the business of charging someone who has an easement for the use of the Lift Station.

MOTION: (Mr. Lyons/Mr. Coker) That the District Board of Trustees approves to accept the Settlement Agreement with paragraph 3 being changed to read as follows: "The City shall provide, at the City's expense, electrical service to the Lift Station." (Mr. Washington recused himself from voting.) The motion carried upon the vote of approval by Mrs. Benoit; Mr. Coker; Mrs. Haas; Mr. Howell; Mr. Lyons; Mr. Al Williams; Mr. Mike Williams; and Mr. Wright.

GOOD OF THE ORDER

Mr. Howell suggested that a thank you letter be sent to Hamilton County School Superintendent for hosting the Trustee Summer Workshop on July 30, 2018.

Chairman Williams announced that the next regularly scheduled meeting of the District Board of Trustees will be held on October 16, 2018, at 5:30 p.m., in the North Florida Community College Board Room.

The meeting adjourned at 7:05 p.m.

Respectfully submitted,

John Grosskopf
President

Michael R. Williams
Chair

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