

MONTGOMERY COLLEGE BOARD OF TRUSTEES

RECORD OF RESOLUTIONS January 18, 2005 Board Meeting

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MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

BOARD OF TRUSTEES
RESOLUTION

Resolution **#05-01**

Subject: **Award of Silver Medallion and Emeritus
Status to Dr. Clarence A. Porter**

WHEREAS, Dr. Clarence A. Porter has served Montgomery College with dedication and distinction for 20 years and retired from the College as of December 31, 2004; and

WHEREAS, during those years, Dr. Porter served in various administrative capacities, including Instructional Dean at Takoma Park from 1985 to 2000, receiving an outstanding service award in 1998 for exceptional service to the College, and also served as Takoma Park Campus Vice President and Provost from 2000 to 2004, after having also worked as acting provost on several occasions; and

WHEREAS, both during his tenure as dean and as Takoma Park Campus Vice President and Provost, he played a pivotal role in the growth of the health sciences programs, resulting in part in the creation of a new state-of-the-art Health Sciences Center which officially opened in January 2004; and

WHEREAS, when serving as an instructional dean, Dr. Porter was the first convener of the deans collegewide, developing a model of collaborative work among the deans that continues to this day; and

WHEREAS, Dr. Porter was a strong advocate for student academic support centers, fostering the development of the Math/Science Center at Takoma Park and working toward the expansion of such centers, including the opening of an 80-seat open computer laboratory for students without access to technology, all with the goal of providing more out-of-class academic assistance to students; and

WHEREAS, Dr. Porter introduced the Learning College concept to Montgomery College by first implementing the concept at Takoma Park; and

WHEREAS, he initiated, in collaboration with the Office of Student Development, the first summer bridge program designed for incoming students recently graduated from Montgomery County Public Schools—a program that is now offered collegewide; and

WHEREAS, Dr. Porter fostered the growth of interdisciplinary studies, working with a faculty/staff committee, which has resulted in the creation of learning communities across the College and the development of a student electronic portfolio, which documents students' out of class service and participation, and

WHEREAS, Dr. Porter supported professional development for faculty and staff, including participation in Spanish immersion travel programs designed for employees to learn the Spanish language and, thereby, better serve students and the local community; and

WHEREAS, in his capacity as Vice President and Provost for the Takoma Park Campus, Dr. Porter was a tireless advocate for the campus and the College in the community, serving in numerous organizations including the Greater Silver Spring Chamber of Commerce of which he was president; and

WHEREAS, he was an active participant in Leadership Montgomery, being a class member in 1995; and

WHEREAS, Dr. Porter served as a member of the American Red Cross Life Board; and

WHEREAS, he also was extremely active in the National Council of Black American Affairs (of the American Association of Community Colleges), for which he was president of the Northeast Region; and

WHEREAS, the students, faculty, staff, and particularly the campus administrative team of the Takoma Park Campus as well as the entire College will miss his commitment and enthusiasm for the work of Montgomery College and for its constituents; and

WHEREAS, College policy provides for designation of emeritus(a) status and for the awarding of a Silver Medallion to recognize outstanding service to the College; and

WHEREAS, the President of the College recommends this public recognition of Dr. Porter on the occasion of his retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Dr. Clarence A. Porter for his many contributions to the College, and extend to him their best wishes that his retirement years be fulfilling and productive; and be it further

Resolved, That Dr. Clarence A. Porter is awarded the Silver Medallion in recognition of his outstanding service to the College, and as an expression of gratitude of the College for his dedication and professional commitment to further the goals of the College; and be it further

Resolved, That Dr. Clarence A. Porter is granted the status of Provost Emeritus, and that he be awarded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Silver Medallion be presented to Dr. Clarence A. Porter.

CRN:abg

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

BOARD OF TRUSTEES
RESOLUTION

Resolution **#05-02**

Subject: **Retirement of Mrs. Binh Nguyen**

WHEREAS, Mrs. Binh Nguyen has served Montgomery College with dedication and distinction for more than seventeen years and retired from the College as of September 25, 2004; and

WHEREAS, as an Accounts Payable Technician for the Accounts Payable department, Office of Business Services, Central Administration, Mrs. Nguyen's work always exceeded standards as she was an asset to the department and made significant contributions; and

WHEREAS, she demonstrated outstanding initiative, team work and professionalism at all times; and

WHEREAS, Mrs. Nguyen always worked hard to ensure vendor, student and employee payments were accurate and paid in a timely manner; and

WHEREAS, departments throughout the College often requested Mrs. Nguyen to personally handle their accounts and serve as the liaison between their areas and Accounts Payable; and

WHEREAS, Mrs. Nguyen has been praised for her enthusiasm, work ethic, customer service and high quality work standards by the Office of Business Services, other departments within the College, and vendors; and

WHEREAS, her high quality of service was reflected in her performance evaluations and many letters of commendation from satisfied customers throughout the College community; and

WHEREAS, vendors, co-workers, staff and faculty have expressed their appreciation for her kind and caring attitude; and

WHEREAS, Mrs. Nguyen received a Recognition Award (2002) for her outstanding performance and for voluntarily taking on additional duties to benefit the Accounts Payable department and Office of Business Services; and

WHEREAS, the President of the College recommends this public recognition of Mrs. Nguyen on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Mrs. Binh Nguyen for her many contributions to the College, and extend to her their best wishes that her retirement years be fulfilling and productive; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Mrs. Binh Nguyen.

MONTGOMERY COLLEGE
campuses at
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Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

BOARD OF TRUSTEES
RESOLUTION

Resolution **#05-03**

Subject: **Tribute to Dr. Miguel Tejada**

WHEREAS, the death on December 2, 2004, of Dr. Miguel Tejada, Professor of Economics and Statistics in the Department of Business and Economics at the Rockville Campus, has deeply saddened his colleagues and friends at Montgomery College; and

WHEREAS, Professor Tejada performed his duties in the Department with enthusiasm, commitment, and dedication; and

WHEREAS, he was a compassionate teacher and mentor, cared deeply about his students, and generously shared his time and wisdom; and

WHEREAS, his colleagues and friends have recognized his contributions to the College and his students by establishing the Professor Miguel Tejada Scholarship Fund; and

WHEREAS, Professor Miguel Tejada's untimely death represents a profound loss for students, colleagues and friends at Montgomery College; and

WHEREAS, the President of the College recommends that the Board adopt the following resolution; now therefore be it

Resolved, That the members of the Board of Trustees express their great sorrow at the passing of Professor Miguel Tejada and extend their deepest sympathy to his family members, friends, and colleagues; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting and that a copy be forwarded to the family of Professor Miguel Tejada.

CRN:abg

Agenda Item # _____

MONTGOMERY COLLEGE
BOARD OF TRUSTEES

January 18, 2005

PERSONNEL ACTIONS CONFIRMATION REPORT

BACKGROUND

The Board of Trustees by State Law has the authority and the responsibility for appointments to the College. Each month the Board receives a summary of personnel actions from the Office of Human Resources on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACK-UP INFORMATION

Board Resolution
Personnel Actions Confirmation Report

RESOURCE PERSONS

Ms. Lawyer
Ms. Bokor

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

BOARD OF TRUSTEES
RESOLUTION

Resolution **#05-04**

Subject: Personnel Actions Confirmation

WHEREAS, by State Law the Board of Trustees has the authority and responsibility for appointments to the College; and

WHEREAS, the attached summary indicates related personnel actions taken by the College during the period from and including December 1, 2004, to December 31, 2004; and

WHEREAS, the President of the College recommends that the Board adopt the following resolution; now therefore be it

Resolved, That the Board of Trustees accepts the attached report and confirms the action of the President.

Attachment

CRN:abg

MONTGOMERY COLLEGE

SUMMARY OF PERSONNEL ACTIONS

From and Including December 1, 2004, to and Including December 31, 2004

STAFF

STAFF EMPLOYMENTS

Effective

Date	Name	Position Title	Grade	Location
11/29/04	Huang, Victor W	Network Engrg Spec	K	Information Technology RV

STAFF SEPARATIONS

12/31/04	Caisse, Jo-Anne L ¹	Office Asst	E	Read/ESL/Foreign Lang/Phil RV
12/15/04	Cobb II, Floyd	Student Services Spec	J	Student Development GT
12/31/04	Diaz, Ancelmo O	Blg Service Worker/PT	A	Facilities Maintenance GT
12/01/04	Feigenbaum, Andrea E	Special Asst to the Vice Pres	N	Provost GT
12/31/04	Johnson, Margaret ¹	Mail & Duplicating Clerk	C	Facilities Mailroom RV
12/31/04	Maffeo, Eleanor M ¹	Academic Comp Lab Sup	K	Academic Computing Team
12/31/04	Porter, Clarence A ¹	Vice President and Provost	R	Provost TP
12/23/04	Roberson, Anong	Instructional Asst/10 Mos/PT	G	Bus/Science/Math/Tech GT
12/17/04	Sienkiewicz, Katherine M	Campus Dir of Student Fin Aid	L	Financial Aid GT
12/03/04	Turner, Kenya J	Education Specialist	I	Admission Records Regis Office

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	0	0	0	0	0
Male	0	0	0	1	0	1
TOTAL	0	0	0	1	0	1

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	4	2	0	1	0	7
Male	0	2	1	0	0	3
TOTAL	4	4	1	1	0	10

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS

Effective

Date	Name	Position Title	Location
12/1/04	Tejada, Miguel L ²	Professor	Business & Econ RV

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	0	0	0	0	0
Male	0	0	1	0	0	1
TOTAL	0	0	1	0	0	1

¹ Retirement

² Deceased

Agenda item # _____

MONTGOMERY COLLEGE
BOARD OF TRUSTEES

January 18, 2005

**AWARD OF CONTRACT,
COMMENCEMENT CEREMONY EQUIPMENT AND SERVICES
BID NO. 405-002**

BACKGROUND

The Director of Special Events in coordination with the Commencement Committee has requested a contract for the purchase of equipment and services for the annual Commencement event in May. The previous contract expired in May 2004.

The Commencement Committee works to assure that this very special occasion celebrates the success of each student and creates an atmosphere that fosters the beginning of a lasting bond with Montgomery College. An important goal of the committee is to send our students onto transfer institutions or out into the workforce with positive feelings of their Commencement ceremony and their experience at the College. Last year almost 700 graduating students and 4,500 guests, faculty, administrators, and members of our many boards, enjoyed a traditional Commencement Ceremony, under a cathedral-size tent, on the Athletic Field of the Rockville Campus. Nearly 400 graduating students joined the Montgomery College Alumni Association as a result of participating in Commencement activities.

The lack of a large venue, risk of inclement weather, length of the ceremony, and concern for the safety and comfort of our guests, has led the Commencement Committee to recommend that a contractor provide the equipment and services required to support this event. A bid was issued on November 17, 2004; 23 vendors received the bid, and two bids were received. Both bids were evaluated by a College committee consisting of representatives from the Offices of Institutional Advancement and Procurement based on established criteria. One bid did not meet College requirements. The bid submitted by Leroy Dixon Enterprises, Inc., d/b/a Party Plus, Glen Burnie, Maryland, is the highest rated bidder meeting all College requirements. Past services provided by Leroy Dixon Enterprises have been satisfactory. The total not to exceed amount for all services is \$77,875. The contract includes the option to extend the contract for four (4) additional one-year terms.

RECOMMENDATION

It is recommended that the Board of Trustees approve a contract award for the purchase of Commencement ceremony equipment and services to Leroy Dixon Enterprises, d/b/a Party Plus, Glen Burnie, Maryland, for a not to exceed amount of \$77,875 in FY2005. It is also recommended that the contract be renewed, at the sole option of the College, for four (4) additional one-year terms, provided funds are available, service is satisfactory, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution
Bidders List
Bid Summary

RESOURCE PERSONS

Mr. Moore
Dr. Shartle-Galotto
Mr. Sorrell
Ms. Sullivan
Ms. Wormack

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

BOARD OF TRUSTEES
RESOLUTION

Resolution **#05-05**

Subject: Award of Contract, Commencement Ceremony
Equipment and Services, Bid No. 405-002

WHEREAS, the Director of Special Events in coordination with the Commencement Committee has requested a contract award to purchase Commencement ceremony equipment and services to ensure a successful and professional graduation ceremony for faculty, staff, and students as the previous contract expired; and

WHEREAS, the Director of Procurement certifies that specifications were developed by appropriate College staff; and the Chief Business Officer certifies that funds are available in the FY2005 Operating Budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311, invitations to bid were publicly advertised in a County newspaper and on College, County, and State procurement websites on November 19, 2004, mailed to six vendors, and downloaded from the College website by 17 vendors; four vendors attended the pre-bid conference held on December 1, 2004; two responses were received, publicly opened, read aloud, and recorded, beginning at 3 p.m. on December 7, 2004; and

WHEREAS, a committee consisting of Institutional Advancement and Procurement staff evaluated the responses and determined that only one bidder met all College requirements to have its price proposal opened; and

WHEREAS, upon evaluation of the price proposal it was determined that the bid submitted by Leroy Dixon Enterprises, d/b/a Party Plus, Glen Burnie, Maryland, meets all College requirements and is therefore the highest rated responsible bidder and;

WHEREAS, the President of the College recommends the following action; now therefore be it

Resolved, That a contract for the purchase of Commencement ceremony equipment and services be awarded to Leroy Dixon Enterprises, d/b/a Party Plus, Glen Burnie, Maryland, for a total not to exceed amount of \$77,875 in FY2005; and be it further

Resolved, That the contract may be extended for four (4) one-year periods, at the sole option of the College, provided funds are available, service is satisfactory, and it is in the best interest of the College.

CRN:abg

January 18, 2005

**SOLE SOURCE AWARD OF CONTRACT,
PURCHASE OF SIMMAN PATIENT SIMULATORS AND ACCESSORIES**

Background

The Instructional Dean, Health Sciences Institute, has requested a contract award for the purchase of two SimMan Patient Simulators and associated accessories, on a sole source basis. A simulator is considered essential to the improvement or enhancement of nursing and allied health education and training for students. A simulator will allow students to practice in a controlled environment without the need for live patients while building their confidence in skills not generally seen in basic clinical training. Through simulation, students learn how to perform the skills and then train to become proficient at those skills. With training on this state-of-the-art equipment, these students will develop skills to help meet the current critical need for nurses and other healthcare professionals.

The College anticipates using this equipment in a multidisciplinary approach with customized training opportunities. The simulators will be used in various healthcare programs, such as the Nursing, Physical Therapist Assistant, Surgical Technology, Diagnostic Medical Sonography, Radiologic Technology, Certified Nursing Assistant, and Emergency Medical Technician programs. In these programs, the simulator will give students the opportunity to refine their skills in the areas of wound assessment and care, ECG monitoring, intravenous therapy, urologic procedures, and patient care situations. Also, this technology will be invaluable in training students in patient care with skills such as ECG monitoring and defibrillation as well as training to respond to nuclear, biological, or chemical injuries.

The simulator manufactured by Laerdal Medical Corporation is the only product that utilizes computer programs to operate and simulate a variety of patient conditions; has a module for chemical, nuclear, or biological hazard accidents; and provides students with real-life patient physical conditions that present themselves when the faculty directs through a laptop. This allows students to assess the patient in the lab at the College before they practice on live patients in a healthcare facility or at an accident site. This simulator is only available through its manufacturer, Laerdal Medical Corporation, and no other product meets College needs. The total price for both products and accessories is \$70,000. One of the simulators will be funded by a grant from the Maryland Association of Community Colleges (MACC), which was able to negotiate a reduced price for all Maryland community colleges for this product. Through MACC's efforts, the College will be able to purchase both simulators at a reduced price, a savings of more than \$6,000.

Recommendation

It is recommended that the Board of Trustees award a contract for the purchase of the SimMan Patient Simulator to Laerdal Medical Corporation, Wappingers Falls, New York, on a sole source basis, for a total price of \$70,000.

RESOURCE PERSONS

Mr. Moore
Ms. Pickwick
Ms. Somersall
Mr. Sorrell
Ms. Wormack

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

BOARD OF TRUSTEES
RESOLUTION

Resolution **#05-06**

Subject: Sole Source Award of Contract, Purchase of
SimMan Patient Simulators and Accessories

WHEREAS, the Instructional Dean, Health Sciences Institute, has requested a contract award for the purchase of two SimMan Patient Simulators and associated accessories, on a sole source basis; and

WHEREAS, the SimMan Patient Simulator will allow students to practice medical emergency procedures in a controlled environment to build proficiency and confidence skills not generally seen in basic clinical training and will be used in multiple programs such as Nursing, Physical Therapist Assistant, Surgical Technology, Diagnostic Medical Sonography, Radiologic Technology, Certified Nursing Assistant, and Emergency Medical Technician; and

WHEREAS, the College was awarded a grant from the Maryland Association of Community Colleges (MACC) for the purchase of one simulator and the manufacturer has offered reduced pricing for additional purchases; and

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

WHEREAS, the Director of Procurement affirms that the sole source request is justified since the SimMan Patient Simulator is not available through any other source, and no other product will meet College needs; and the Chief Business Officer certifies that funds are available in the FY2005 Operating Budget; and

WHEREAS, Board policy states that the formal bidding process may be dispensed with in the event of a sole source procurement; and

WHEREAS, the President of the College recommends the following action; now therefore be it

Resolved, That a contract be awarded for the purchase of two SimMan Patient Simulators to Laerdal Medical Corporation, Wappingers Falls, New York, on a sole source basis, for a total price of \$70,000.

CRN:abg

January 18, 2005

**WASHINGTON SUBURBAN SANITARY COMMISSION GRANT OF
SANITARY SEWER EASEMENT, GERMANTOWN CAMPUS**

BACKGROUND

U.S. Home Corporation of Silver Spring, Maryland, is the owner/developer of a 45-unit townhouse condominium project located on Frederick Road (MD-355) east of the Germantown Campus. The project is being built on an approximately 6.25 acre site located on MD-355 midway between Middlebrook Road and MD-118. The attached Campus map shows the location of the project and the requested sanitary sewer easement.

In accordance with the requirements of the Washington Suburban Sanitary Commission (WSSC), the development of this townhouse project is contingent upon an easement from the College for the benefit of WSSC that allows for the construction and maintenance of a sanitary sewer connection to the townhouse project. U.S. Home's request is to construct such a sanitary sewer extension on the eastern boundary of the Germantown Campus connecting the project to the WSSC sanitary sewer main located on College property within the Gunner's Branch stream valley. The College has anticipated easement requests of this nature and, in fact, four sanitary sewer easements have been granted in the past for WSSC sewer connections to properties along MD-355. The total area of this request for a sewer easement is 1,509 square feet, or 0.0346 acre. A list of various easements granted to date on the Germantown Campus is attached.

In response to this easement request and due in part to the College's future development needs, the College requested, and U.S. Home has agreed to, a reciprocal easement for the College's benefit across the townhouse development site allowing for future utility connections by the College to MD-355. A recorded easement on the adjacent property will outline this right to future access across the property without defining a specific location for this potential connection.

With regard to this request, College staff has reviewed and found WSSC's plan for installing a sanitary sewer extension to be an appropriately engineered solution for providing sanitary sewer service to the new townhouse development. In addition, the easement location is at the periphery of the Germantown Campus and is entirely within the Gunner's Branch 100-year flood plain, as well as within typical setback restriction areas such that the requested easement location cannot be considered a buildable site by the College. The requested easement location does not conflict with the College's master plan for the Germantown Campus.

The Facilities Office has reviewed property values for the Germantown area and concluded that the fair market value of undeveloped residential-zoned property in the Germantown area has not substantially changed since the College granted a similar easement request in 1997. For example, this townhouse development site was purchased by U.S. Homes in 2002 for approximately \$1.9-million or \$6.96 per square foot. Recent discussions with U.S. Home

concluded that the College's earlier property appraisal value for undeveloped residential-zoned property of \$7.50 per square foot was an appropriate market rate for the townhouse development site. The right of way requested for WSSC is 1,509 square feet which results in a fair market value of \$11,318 (1,509 sf x \$7.50). As the easement request is not a fee simple acquisition and is located entirely within the 100-year flood plain along Gunner's Branch, the standard approach is to value the easement at 25 percent of the fair market value. The value of the easement requested for WSSC is therefore set at \$2,830 (\$11,318 x .25).

With regard to Board policy on easement requests, in April 1995, the Maryland Department of General Services informed the College that according to the Department's Principal Counsel "there is no need for the College to request Board of Public Works approval for [a] property rights transfer" when it comes to easements. This conclusion was confirmed by Maryland Higher Education Commission staff in 1997 during a similar easement request review. No action is required of the State with regard to this easement request.

RECOMMENDATION

A Board resolution for approving this request for easement is presented for the Board's action at the January meeting.

BACKUP INFORMATION

Board Resolution
Germantown Campus Site Plan
List of Existing and Requested Easements – Germantown Campus

RESOURCE PERSON

Mr. Capp

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

BOARD OF TRUSTEES
RESOLUTION

Resolution #05-07

Subject: Washington Suburban Sanitary Commission
Grant of Sanitary Sewer Easement,
Germantown Campus

WHEREAS, U.S. Home Corporation of Silver Spring, Maryland, has requested of the College for the benefit of the Washington Suburban Sanitary Commission (WSSC) the grant of a permanent right-of-way to construct, install, and maintain a sanitary sewer extension and appurtenances thereto to serve the Mary J. Boland Subdivision project (MNCPPC Site Plan #8-04011) located on Frederick Road (MD-355); and

WHEREAS, the proposed right-of-way is consistent with the site development approval requirements imposed on U.S. Home Corporation by the Maryland-National Capital Park and Planning Commission and the Washington Suburban Sanitary Commission; and

WHEREAS, the proposed right-of-way does not disrupt nor is otherwise inconsistent with the College's master plan for the Germantown Campus; and

WHEREAS, the requested right-of-way is located on the east boundary of the Germantown Campus and totals 1,509 square feet or 0.0346 of an acre of land for the sanitary sewer extension right-of-way; and

WHEREAS, the College staff have reviewed the information provided by U.S. Home Corporation and WSSC and have identified the land required for this right-of-way as follows:

BEING a strip or parcel of land twenty (20) feet wide, ten (10) feet each side of the hereinafter described centerline, in, through, over and across a portion of the property acquired by Montgomery Community College from Montgomery County, Maryland, by Deed dated January 3, 1994, and recorded in Liber 13304 at Folio 633 among the Land Records of Montgomery County, Maryland, and being more particularly described in the Maryland State Grid (NAD 83/91) as follows

Beginning for said centerline at a point located on the 4th, or South 43 56'45" East, 197.19 feet line of a confirmatory deed from the Montgomery County Board of Education to Montgomery County, Maryland, dated May 30, 1991 and recorded in Liber 9798 at Folio 412 among said land records. Said point located North 44 01'51" East, 72.33 feet from an Iron rod with cap labeled "Corp #147" found at the southeasterly end of said line, and running thence over, across, and through said lands of Montgomery Community College by two lines as follows

- 1) South 71 48"54" West, 18.40 feet to a point; thence
- 2) South 39 24'15" West, 57.04 feet to a point on the northeasterly line of an existing 15' WSSC right of way for sanitary sewer as described in a deed from the Board of Education of Montgomery County to the Washington Suburban Sanitary Commission dated October 3, 1977 and recorded in Liber 5046 at Folio 347 among the previously mentioned land records. Said point also located South 51 33'56" East, 363.66 feet from the northwesterly end of the first, or North 50 23'22" West, 395.63 feet line of said conveyance.

The above described strip or parcel of land having an area of 1,509 square feet or 0.0346 acres of land as shown on Schedule "B" attached hereto and made a part hereof by this reference; and

WHEREAS, WSSC, its successor or assigns should indemnify, hold harmless and defend the College against any and all loss, damage, claims, suits, payments, or other liabilities arising out of or in respect to the construction and installation of the sanitary sewer extension work required to serve the Mary J. Boland Subdivision (MNCPPC Site Plan #8-04011) property located on Frederick Road (MD-355) adjacent to the Germantown Campus and/or arising out of or in respect to the installation and/or construction of any appurtenances thereto; and

WHEREAS, WSSC, their successors or assigns should agree that the construction and installation of the sanitary sewer extension work required to serve the Mary J. Boland Subdivision (MNCPPC Site Plan #8-04011) property located on Frederick Road (MD-355) adjacent to the Germantown Campus and any installation, construction, reconstruction, maintenance, repair, operation or inspection of the sanitary sewer and any appurtenances thereto shall not interfere with the activities or operations of the College; and

WHEREAS, WSSC should agree to restore the land as nearly as practicable to the condition, which existed at the commencement of construction, such restoration being acceptable to the College; and

WHEREAS, the easement should be recorded among the Land Records of Montgomery County, Maryland, at no cost to the College; and

WHEREAS, the President of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees grants a right-of-way and easement to the Washington Suburban Sanitary Commission for the installation, construction, reconstruction, maintenance, repair, operation and inspection of a sanitary sewer extension and appurtenances thereto, within said easements and rights-of-way, together with the right of ingress and egress over said rights-of-way for said purposes, the said rights-of-way and easements being described as follows:

BEING a strip or parcel of land twenty (20) feet wide, ten (10) feet each side of the hereinafter described centerline, in, through, over and across a portion of the property acquired by Montgomery Community College from Montgomery County, Maryland, by Deed dated January 3, 1994, and recorded in Liber 13304 at Folio 633 among the Land Records of Montgomery County, Maryland, and being more particularly described in the Maryland State Grid (NAD 83/91) as follows

Beginning for said centerline at a point located on the 4th, or South 43 56'45" East, 197.19 feet line of a confirmatory deed from the Montgomery County Board of Education to Montgomery County, Maryland, dated May 30, 1991 and recorded in Liber 9798 at Folio 412 among said land records. Said point located North 44 01'51" East,. 72.33 feet from an Iron rod with cap labeled "Corp #147" found at the southeasterly end of said line, and running thence over, across, and through said lands of Montgomery Community College by two lines as follows

- 3) South 71 48"54" West, 18.40 feet to a point; thence
- 4) South 39 24'15" West, 57.04 feet to a point on the northeasterly line of an existing 15' WSSC right of way for sanitary sewer as described in a deed from the Board of Education of Montgomery County to the Washington Suburban Sanitary Commission dated October 3, 1977 and recorded in Liber 5046 at Folio 347 among the previously mentioned land records. Said point also located South 51 33'56" East, 363.66 feet from the northwesterly end of the first, or North 50 23'22" West, 395.63 feet line of said conveyance.

The above described strip or parcel of land having an area of 1,509 square feet or 0.0346 acres of land as shown on Schedule "B" attached hereto and made a part hereof by this reference; and be it further

Resolved, That the grant of the easement is subject to the execution of an agreement with the WSSC that contains the standard provisions generally required by the College under such circumstances and to the execution, to the extent it is possible, of an acceptable reciprocal easement for the College's benefit on the Mary J. Boland Subdivision (MNCPPC Site Plan #8-04011) property; and be it further

Resolved, That any such agreement shall include a provision that the WSSC, its successor or assigns should indemnify, hold harmless and defend the College against any and all loss, damage, claims, suits, payments, or other liabilities arising out of or in respect to the construction and installation of the sanitary sewer extension work required to serve the Mary J. Boland Subdivision (MNCPPC Site Plan #8-04011) property located on Frederick Road (MD-355) adjacent to the Germantown Campus and/or arising out of or in respect to the installation and/or construction of any appurtenances thereto; and be it further

Resolved, That the WSSC, their successors or assigns shall agree that during the period of construction, the Commission and/or any contractor performing work on behalf of the Commission in connection with the construction and installation of the sanitary sewer extension work required to serve the Mary J. Boland Subdivision (MNCPPC Site Plan #8-97009) property located on Frederick Road (MD-355) adjacent to the Germantown Campus shall not interfere with the activities or operations of the College; and be it further

Resolved, That the WSSC shall agree to restore the land as nearly as practicable to the condition which existed at the commencement of construction, such restoration being acceptable to the College; and be it further

Resolved, That U.S. Home Corporation or the WSSC shall record the easement among the Land Records of Montgomery County, Maryland, at no cost to the College; and be it further

Resolved, That the Board of Trustees accepts from U.S. Home Corporation the amount of Two Thousand Eight Hundred Thirty and zero/00 Dollars (\$2,830.00) for the above described right-of-way; and be it further

Resolved, That the Chair of the Board of Trustees and the President are authorized to execute any easement, right-of-entry and/or other agreement documents necessary to implement the terms of this resolution.

Attachment: Schedule "B"

CRN:abg

January 18, 2005

ADOPTION OF THE FY2006 CURRENT, ENTERPRISE AND OTHER FUNDS BUDGETS

BACKGROUND

On December 2, 2004, the Proposed Operating Budget was presented to the Board of Trustees. Since there are few additional requests in this budget except to maintain the “same service level” and there are limited resources, the Board reviewed the budget as a whole instead of by the committee approach used in previous years.

This budget provides for an increase in costs for compensation and enrollment growth, half year funding for the Takoma Student Services Center, increases in costs for benefits and utilities and more funding for scholarships. The budget includes 44.5 new positions for the Operating Budget as follows: 19 faculty for enrollment growth, 20 positions for the new Takoma Park Student Services Center, 3.5 temporary with benefits positions converted to regular and 2 other new positions. In the Enterprise Funds, there are two new positions for the new Germantown Child Care Center.

RECOMMENDATION

The Board of Trustees is requested to adopt the FY2006 Current Fund, Enterprise and Other Funds Budgets.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Ms. Dimon
Mr. Campbell

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

BOARD OF TRUSTEES
RESOLUTION

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

Resolution #05-08

Subject: Adoption of the FY2006 College Operating Budget

WHEREAS, on December 2, 2004, the FY2006 Proposed Operating Budget was presented to the Board of Trustees; and

WHEREAS, State funding to community colleges continues to be uncertain and every effort is being made to restore the Cade Funding Formula; and

WHEREAS, the budget is a "same service" level budget and includes only those needs that are critical to the success of the institution; and

WHEREAS, the budget includes the operating budget impact of the Takoma Park Student Services Building opening in January 2005 and the large increases in utilities and benefits; and

WHEREAS, during budget deliberations the Board's first priority was to the College's mission of academic excellence, access, and student success; and

WHEREAS, every effort was made to maintain the quality of programs and services at Montgomery College while realizing the need to conserve public funds and maintain reasonable tuition and fee rates; and

WHEREAS, the Board of Trustees held a public hearing to present the budget to the College and the community; and

WHEREAS, appropriate changes to the Proposed Budget have been made in compliance with Board of Trustees action; now therefore be it

Resolved, That the Board of Trustees adopts the Fiscal Year 2006 Operating Budget in the amounts of \$162,584,763 for the Current fund, \$10,664,217 for the Workforce Development and Continuing Education Fund, and \$4,897,194 for the Auxiliary Enterprises Fund. These amounts are subject to funding and appropriate action by the Montgomery County Government. The amounts are subject to further technical refinement before the budget is submitted for recommendation to the County Executive and the County Council.

CRN:abg

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

BOARD OF TRUSTEES
RESOLUTION

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

Resolution **#05-09**

Subject: FY2006 Budget Approval - Other Funds

WHEREAS, the College endeavors to obtain funding from external sources for specific purposes in keeping with its mission and goals; and

WHEREAS, the exact funding of College special projects and/or proposals is not certain; and

WHEREAS, amounts shown in the budget document for Student Activities and Athletics, Cable TV, Emergency Plant Maintenance and Repair Fund, Major Facilities Reserve Fund, Montgomery College 50th Anniversary Endowment Fund, Transportation Fund, and Federal, State and Private Grants and Contracts are the best estimates at this time and actual amounts may be more or less than the budgeted amounts; and

WHEREAS, it is essential to the success of these special programs for the President to have flexibility to deal with the changing external circumstances associated with these programs; now therefore be it

Resolved, That the Board of Trustees hereby approves the aforementioned sections of the budget as presented with the understanding that the amounts are not fixed; and be it further

Resolved, That the President is hereby authorized to negotiate for, accept, and expend such "other funds" as indicated in the budget and as may become available during FY2006, provided expenditures do not exceed revenues.

CRN:abg

Agenda Item # _____

MONTGOMERY COLLEGE
BOARD OF TRUSTEES

January 18, 2005

**RESCISSION OF BOARD RESOLUTION #04-57
SUPPLEMENTAL APPROPRIATION REQUEST, MC/MCPS SUBCONTRACTING PROJECT
FOR ADULT BASIC EDUCATION AND ESL PROGRAMS**

BACKGROUND

At its May 21, 2004 meeting, the Board of Trustees approved a supplemental appropriation request that would have provided for a one-year subcontracting project with Montgomery County Public Schools for the administration of the federally funded Adult Basic Education, GED, and ESL programs. The subcontracting approach was being proposed for the last year of a three-year grant funded by the Maryland State Department of Education (MSDE). The Board resolution was contingent upon the endorsement of the grant submittal by MSDE.

Upon formal review of the proposed subcontracting project as outlined in the grant renewal documents, MSDE declined to support this approach.

RECOMMENDATION

It is recommended that the Board of Trustees Resolution #04-57 be rescinded.

BACK-UP INFORMATION

Board Resolution
Board Resolution #04-57

RESOURCE PERSONS

Mr. Moore
Ms. Dimon
Mr. Payne

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

BOARD OF TRUSTEES
RESOLUTION

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

Resolution **#05-10**

Subject: Rescission of Board Resolution #04-57,
Supplemental Appropriation Request, MC/MCPS
Subcontracting Project for Adult Basic Education
and ESL Programs

WHEREAS, by Board Resolution #04-57, the Board of Trustees approved the MC/MCPS Subcontracting Project for Adult Basic Education and ESL Programs which would have been funded through a contract for services between the College and MCPS in an amount of up to \$2,400,000 by which the College will perform services as a subcontractor to MCPS; and

WHEREAS, this Subcontracting Project was contingent upon the endorsement of the Maryland State Department of Education; and

WHEREAS, upon formal review of the subcontracting approach included in the grant renewal documents MSDE declined to endorse this approach; and

WHEREAS, the President of the College recommends the following action; now therefore be it

Resolved, That the Board of Trustees rescind Board Resolution #04-57, MC/MCPS Subcontracting Project for Adult Basic Education and ESL Programs.

CRN:abg

Agenda Item # _____

MONTGOMERY COLLEGE
BOARD OF TRUSTEES

January 18, 2005

**GRANT SUPPLEMENTAL APPROPRIATION REQUEST,
MC/MCPS PROJECT FOR ADULT BASIC EDUCATION AND ESL PROGRAMS**

BACKGROUND

This project involves the transfer of program administration of the federally funded Adult Basic Education, GED, and ESL programs from the Montgomery County Public Schools (MCPS) to Montgomery College (MC). Montgomery College responded to a request for proposals issued by the Maryland State Department of Education (MSDE) and has been awarded this grant project effective January 3, 2005. The basis for this change is to strengthen the alignment of core service areas for each educational system. Montgomery College will assume the leadership role in meeting the educational needs of adults in Montgomery County.

Adult students will have the benefit of a wide range of programs and services designed for working adults and individuals with limited English proficiency or basic skills. The primary service hub for this program will be the Westfield South Training Center which also houses the Educational Opportunity Center, the Hispanic Business Institute, the County One-stop Montgomery Works, as well as many other employment and training related service providers.

This continuum of education and training opportunities will be brought closer to the student by eliminating a transition between service providers. Students will become familiar with processes, locations, and points of contact that can serve them for many years of learning.

The community-based locations that have made this program so successful over the past years will continue. The majority of courses are provided in evening high schools along with other community locations.

Funding for this grant project comes from MSDE and from Montgomery County. For the half-year covered under this grant award, MSDE will provide up to \$1,000,000 and Montgomery County will provide \$200,000 in required local matching funds. In order to expend these funds, a supplemental grant appropriation of \$1,200,000 is required in the Workforce Development and Continuing Education grants fund in the FY2005 Operating Budget. Once approved by the Board of Trustees, this supplemental appropriation request must be submitted to the County Executive for review and recommendation, before being forwarded to the County Council for public hearing(s) and final action on amending the College's FY2005 Operating Budget.

RECOMMENDATION

It is recommended that the Board of Trustees approve a grant supplemental appropriation request amending and increasing the Approved FY2005 Operating Budget in the Workforce Development and Continuing Education fund in an amount of \$1,200,000 to be submitted to the County for expenditure authority for this project.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Moore
Ms. Dimon
Mr. Payne

MONTGOMERY COLLEGE
campuses at
Germantown, Rockville, Takoma Park
Maryland

BOARD OF TRUSTEES
RESOLUTION

Agenda Item # _____

January 18, 2005

Adopted on 01/18/05

Resolution **#05-11**

Subject: Grant Supplemental Appropriation Request,
MC/MCPS Project for Adult Basic Education
and ESL Programs _____

WHEREAS, the Board of Trustees adopted the FY2005 Operating Budget and Other Funds as approved by Montgomery County on June 21, 2004; and

WHEREAS, the FY2005 MC/MCPS Project for Adult Basic Education and ESL Programs will be funded by a grant from the Maryland State Department of Education for up to \$1,000,000 and a Montgomery County local match of \$200,000; and

WHEREAS, this project will effect a change in delivery of services that will strengthen the alignment of core service areas for each educational system whereby Montgomery College will assume a leadership role in meeting the educational needs of adults in Montgomery County; and

WHEREAS, this continuum of education and training opportunities will be made more accessible to the student by eliminating a transition between service providers; and

WHEREAS, the primary service hub for this program will be the Westfield South Training Center which also houses the Educational Opportunity Center, the Hispanic Business Institute, the County One-stop Montgomery Works, as well as many other employment and training related service providers; and

WHEREAS, there is not sufficient expenditure authority for the College for this program in the Adopted FY2005 Operating Budget that has been approved by Montgomery County and a supplemental appropriation for a grant is required to include sufficient expenditure authority to enable the College to administer the program; and

WHEREAS, the College desires to amend the FY2005 Operating Budget and provide for a supplemental appropriation for a grant of \$1,200,000; and

WHEREAS, the President of the College recommends the following action; now therefore be it

Resolved, That the Board amends the Adopted FY2005 Operating Budget that was adopted by Montgomery County to add a supplemental appropriation authorization for a grant of \$1,200,000 in the Workforce Development and Continuing Education Fund instruction program to provide to the College the expenditure authority to perform the work of the College in the MC/MCPS Project for Adult Basic Education and ESL Programs; and be it further

Resolved, That the Board authorizes the President to transmit the supplemental appropriation request to the Montgomery County Executive for review and recommendation to the Montgomery County Council for final action.

CRN:abg