



**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
September 10, 2012**

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**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 7A
September 10, 2012

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, Development, and Engagement on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached reports.

BACK-UP INFORMATION

Board Resolution
Personnel Actions Confirmation Report
Policy 34001, Changes in Employee Status

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON

Ms. Espinosa

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **12-09-067**
Adopted on: **9/10/2012**

Agenda Item Number: 7A
September 10, 2012

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 June 1, 2012, to and including July 31, 2012; 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

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including June 1, 2012, to and Including June 30, 2012

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
06/04/2012	Colin, Monique	Building Service Worker	A	Facilities Maintenance - RV
06/04/2012	Dehaut, Steven M	General Maintenance Worker	C	Facilities Maintenance - RV
06/18/2012	Deonath, Surech B	Building Equipment Mechanic	H	Facilities Operations - TP/SS
06/18/2012	Greaney, Elizabeth W	Director of AR/Treasurer	N	Finance Office
06/04/2012	Olowofoyeku, Eniola	Student Services Specialist	J	Student Development - TP/SS
06/04/2012	Pradhan, Sharmila	Environmental Safety Prog Sup	K	Environmental Safety - GT
06/18/2012	Scafide, Laura A	Administrative Aide II	G	Office of Compliance
06/04/2012	Williams, Amanda C	Instructional Associate	H	Nat/App'l Sci,Bus/Mgt,Info Sci

STAFF SEPARATIONS

Effective Date	Name	Position Title	Grade	Location
06/30/2012	Bassey, Sherralyn S ¹	WD&CE Registration Coord	H	WD & CE
06/06/2012	Capp, David J	VP of Facilities & Security	Q	Facilities Office
06/30/2012	Carver, Judith A ¹	WD&CE Program Director	J	Health Sciences Institute
06/29/2012	Lippa, Elana F	Director of Planned Giving	N	Institutional Advancement
06/08/2012	Marks, Roger A	Computer Support Specialist	I	Information Technology - RV
06/22/2012	Moore, Rochelle I	Dir of Admis & Enrollment Mgt	P	Admission Records Regis Office
06/30/2012	Norris, Karen W ¹	Grants Manager	L	Institutional Adv - Grants
06/30/2012	Nwoye, Joseph I	Instructional Designer	K	Center for Teaching & Learn - RV
06/15/2012	Ogden, Toni W	Human Resources Spec - Trainee	I	Human Resources Office
06/30/2012	Schwartz-McKinzie, Esther	Interim Associate Dean	O	Arts/Humanities/SocialSciences
06/29/2012	Simms, Elaine L ¹	Accounting Technician	F	Auxiliary Services
06/29/2012	Washington, Zenobia E ¹	Budget Analyst	K	Science, Engineering & Math

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	2	3	0	1	0	6
Male	1	0	0	1	0	2
TOTAL	3	3	0	2	0	8

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	5	4	0	0	0	9
Male	2	1	0	0	0	3
TOTAL	7	5	0	0	0	12

¹ Retirement

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS: None

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including July 1, 2012, to and Including July 31, 2012

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
07/16/2012	Bah, Alhaji I	Safety & Security Officer	E	Facilities Security - TP/SS
07/02/2012	Bollinger, David	Library Assistant	F	Library - RV
07/16/2012	Bonner, Curtis K	Safety & Security Officer	E	Facilities Security - GT
07/16/2012	Bridgewater, Debra E	Safety & Security Officer	E	Facilities Security - TP/SS
07/02/2012	Hubbard Lindsay A.	Administrative Aide II	G	Business Mgt Info Sci Dean - RV
07/30/2012	Kisner, Carolina	Office Associate	E	Student Development - GT
07/16/2012	Moguche, Dennis M	Building Services Worker	B	Facilities Office - Central Admin
07/16/2012	Osborne, Jeffrey T	Instructional Lab Coordinator	I	Fine Perform Visual Arts - RV
07/02/2012	Snyder, Miriam J	Physical Educ Equipment Aide	F	Soc Sci Hist Health PE - RV
07/30/2012	Walker, Lauren F	Financial Records Assistant	G	Office of Business Services

STAFF SEPARATIONS

07/20/2012	Dodson, Dianna G	Instructional Associate	H	Humanities Soc Science - RV
07/20/2012	Evans, Ann B	Program Manager I	J	WDCE Central Admin
07/13/2012	Gill, Ruth F	Director of Advancement Svcs	O	Office of Advancement
07/06/2012	Harring, Gregory	Swimming Pool Operator	F	Facilities Office - Central Admin
07/20/2012	McCurdy, Diane E ¹	Project Coordinator	I	Bus Sci Math Tech Dean - GT
07/20/2012	McNally, John D	Instructional Designer	K	Office of Distance Learning
07/21/2012	Robbs, Steven A	Electrician	H	Facilities Operations - GT

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	3	1	1	0	0	5
Male	3	2	0	0	0	5
TOTAL	6	3	1	0	0	10

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	3	0	1	0	0	4
Male	2	1	0	0	0	3
TOTAL	5	1	1	0	0	7

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS: None

¹ Retirement

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland**

Agenda Item Number: 7B
September 10, 2012

**GRADUATES RECEIVING THE ASSOCIATE DEGREE AND
THE ONE-YEAR PROGRAM CERTIFICATE IN SPRING, 2012**

BACKGROUND

It is customary for the Board of Trustees to ratify the list of graduates each semester.

RECOMMENDATION

The Board of Trustees is asked to ratify the award of a certificate, diploma, or degree that is conferred upon successful completion of the requirements of a program.

BACK UP INFORMATION

Resolution
List of Graduates (Board members only)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Walker-Griffea

RESOURCE PERSON

Ms. Gregory

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **12-09-068**
Adopted on: **9/10/2012**

Agenda Item Number: 7B
September 10, 2012

Subject: Graduates Receiving the Associate Degree and the One-Year Program Certificate in Spring, 2012

WHEREAS, it is necessary that the Board take action on the list of certified candidates attached herewith; and

WHEREAS, the students of Montgomery Community College, as listed on the attachments, have been certified by the chief enrollment services and financial aid officer of the College to have completed the prescribed courses and curriculum, met all other requirements of the College, and received the degree or certificate for which he/she qualified; and

WHEREAS, the faculty has recognized the students of Montgomery Community College, as listed on the attachments, as having received their respective associate's degree or one-year program certificate; and

WHEREAS, the president recommends that the Board approve the following resolution; now therefore be it

Resolved, That the Board of Trustees recognizes the students of Montgomery Community College, as listed on the attachments, as having received their respective associate's degree or one-year certificate.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 8
September 10, 2012

**RESPONSE TO CITY OF ROCKVILLE'S MANDATORY REFERRAL CONDITIONS
ROCKVILLE CAMPUS SCIENCE WEST RENOVATION PROJECT
APPLICATION PRJ2012-11702**

BACKGROUND

Montgomery College is a state instrumentality created under the Education Article of the Maryland Code. The College is charged with a primary mission of providing higher education for the community at the lowest cost. The College is obligated to allocate its resources and manage its campuses to meet this mission. The College is not charged with funding public improvements apart from this educational mission, particularly public improvements apart from the campuses that are within the jurisdiction and responsibilities of county or municipal entities. As an arm of the state of Maryland, the College is not subject to the zoning laws of the county or of a municipality such as the City of Rockville. However, there is a process under state law whereby state entities submit their construction projects to local jurisdictions (such as counties and municipalities) in which the project will be located for review and advice as to whether the proposed construction will be consistent with the local jurisdiction's land use plan.

The College and the City of Rockville have reached agreement that the College's renovation and construction projects on the Rockville Campus that are within the Rockville City limits would be subject to the mandatory referral process under Article 66B, Section 3.08 of the Maryland Code. This section, which specifies and limits the zoning powers and authority of the City, provides that before a state instrumentality can construct (including renovate) a public improvement in the City, that instrumentality must submit plans for that construction to the planning commission of the City for advice as to whether,

“...the location, character, and extent of the development ... [is consistent with] the plan [of the City].”

If the project is disapproved or approved with conditions by the city planning commission, the local jurisdiction must communicate to the state instrumentality (the College) the reasons for its decision. This local jurisdiction communication to the College must be complete by 60 days after the College's submission of the project or the local jurisdiction will be deemed to have approved the project. By statute, the governing body of the state instrumentality must respond to any disapproval or condition to the approval by a two-thirds vote of that body within 60 days after submission of the recommendation of the local jurisdiction to the state instrumentality; failure of the state instrumentality to act within that 60 day period makes the recommendation of the local jurisdiction binding on the state instrumentality.

On June 11, 2012, the College submitted a complete mandatory referral application to the City of Rockville for the proposed renovation and expansion of the Rockville Campus Science West Building (the “Science West project”), the third and final phase of the development of a science, engineering and mathematics complex on the Rockville Campus. On August 8, 2012, the City of

Rockville Planning Commission met to consider this mandatory referral application. As noted by City staff and the City Planning Commission, the City of Rockville's review was to determine consistency with the "Plan" as defined under Article 66B, Section 1.00 of the Annotated Code of Maryland, specifically as it relates to location, character, and extent of the proposed site development of the College's Science West project. The Planning Commission's review was to determine whether the College's proposal was consistent with the City's Master Plan as mandated by Article 66B, Section 3.08 of the Annotated Code of Maryland. The staff and members of the commission specifically noted that the Science West project was consistent with the applicable City Master Plan. On the last sixtieth day of the review period, August 10, 2012, the City sent to the College its decision to approve the Science West project; notwithstanding the fact that the Science West project was consistent with the applicable City plan, the City's approval contained several conditions beyond the statutory standards that are confined to "...location, character, and extent of the development..." This communication was in the form of a letter received by the College from the City on August 10, 2012, a copy of which is attached.

The College Board of Trustees now has 60 days from August 10, 2012, to decide whether to accept the conditions in accordance with the provisions of Article 66B, Section 3.08(c)(2) of the Annotated Code of Maryland; as noted above, failure to respond binds the College to the decision, including conditions, of the City. In this case, because the conditions are beyond the authority of the City to recommend, a formal response from the Board of Trustees is required.

Accordingly, because Montgomery College, as a state instrumentality, is not required to comply with any conditions placed on the mandatory referral approval by the City of Rockville, it is recommended that the Board respond to the City concerning those conditions that it does not find them acceptable, but nevertheless, will act in good faith to meet the spirit of a majority of these conditions to the extent that it can. In this way, through including a response to each of the conditions to indicate the good faith of the College, the College meets its obligations as a good neighbor and a part of the community without acceding to the jurisdiction of the City of Rockville.

The conditions proposed by the City are as follows, with notes of College concerns following in brackets. These concerns are in addition to the overarching concern that the conditions are beyond the authority of the City and encroach on the authority of the College.

1. The proposed building and site improvements are to be constructed and implemented in accordance with site development and buildings plans respectively prepared by A. Morton Thomas, & Associates, Inc., and Stantec Architecture, Inc.

[Although the College will be constructing the building project generally in accordance with the plans, there will probably be changes in the building as construction progresses and the College would not expect to go back to the City for approval of these changes. The College would submit a substantial change to the proposed building to the City for a new mandatory referral review if the change was such that it would change, in a substantial and material way, the location, character, or extent of the development.]

2. The size of the existing building must be referenced under the "site data summary data table" on site plan sheet #SDP-1, i.e., the total square footage of the building prior to the addition of the proposed new third story. Also amend/correct the total square footage of

the new third story to be consistent with that listed in the application support materials, i.e., the new addition totals 20,994 square feet.

[The College will make any technical corrections to the table to be consistent with as built conditions, and will submit a current design correction to 23,395 square feet, submitting these to the City in a timely manner.]

3. All construction must meet requirements of the city's construction, fire, and life safety codes, as well as Maryland State accessibility code, and Americans with Disabilities Act (ADA) requirements.

[The College will meet or exceed all applicable laws, codes and regulations; this may or may not meet the City's codes.]

4. Submit a Hydraulic Planning Analysis Request Form indicating net increase in water and sewer demand for the proposed project. The City's Department of Public Works (DPW) will review and issue a letter of findings for water and sewer authorization.

[Although not required to be performed by the College, the College will make a good faith, voluntary effort to appropriately respond to this condition.]

5. Applicant will submit a \$1,000 review fee for water analysis and \$1,000 review fee for sewer analysis to DPW.

[Although not required to be performed by the College, the College will consider, in good faith, an appropriate response to this condition.]

6. Proposed trees are not permitted to be planted on the existing stormwater management pond dam.

[As indicated in response to number 3 above, the College will meet all laws, etc., including State laws pertaining to planting trees on dams. It appears that one tree may not comply with this requirement, and if this is confirmed, that tree will not be planted on the dam.]

It should be noted that members of the City's Traffic and Transportation Commission who reviewed the plans as a part of the City's application review process and certain neighbors of the Rockville Campus notified of the College's application asked that the Planning Commission include conditions related to reopening the fence at Princeton Place, establishing a pedestrian and bike path from Princeton Place through the parking lot and the Campus to the bus stop, adding a right turn lane into the Campus on southbound MD-355, and installing a specific vendor's bicycle rental stations on the Campus. The Planning Commission determined that none of these requests were pertinent to the Science West application and would not be recommended.

The Board must take action with respect to the conditions on or before October 9, 2012.

RECOMMENDATION

It is recommended by the president that the Board of Trustees respectfully not accept the conditions placed by the City of Rockville on the Science West Mandatory Referral Application PRJ2012-11702, given Montgomery College's status as a state instrumentality and other reasons stated above, and to authorize the president to send a letter to the City informing the City of this action with further information relating to the College's intentions as to each of the conditions as outlined above to demonstrate the College's commitment to meet the spirit of a majority of the conditions. The state law requirement for such non-acceptance of conditions is a two-thirds vote (seven members).

BACKUP INFORMATION

Board Resolution
Rockville Campus Map (Board members only)
City Letter Dated August 10, 2012 (Board members only)

Responsible Senior Administrator

Ms. Jones

RESOURCE PERSONS

Ms. Cubar
Mr. Sorrell

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **12-09-069**
Adopted on: **9/10/2012**

Agenda Item Number: 8
September 10, 2012

**Subject: Response to City of Rockville's Mandatory Referral Conditions, Rockville
Campus Science West Renovation Project, Application PRJ2012-11702**

WHEREAS, on June 11, 2012, the College submitted a mandatory referral application to the City of Rockville for the proposed renovation and expansion of the Rockville Campus Science West Building, the third and final phase of the development of a science, engineering and mathematics complex on the Campus; and

WHEREAS, on August 8, 2012, the City of Rockville Planning Commission met to consider the application and voted to approve the College's application, finding that the location, character, and extent of the development represented by the project in the application was consistent with the applicable City master plan; however, the City's approval also contained several conditions beyond the statutory standards specified for mandatory referral; and

WHEREAS, on August 10, 2012, the College was officially notified in writing of the Planning Commission's actions; and

WHEREAS, Article 66B, Section 3.08(c)(2) of the Annotated Code of Maryland requires a local legislative or other body having jurisdiction to respond within 60 days of receipt of the recommendation of the Planning Commission, or the body having jurisdiction shall be considered to have concurred with the recommendation of the Planning Commission; and

WHEREAS, a response from the Montgomery College Board of Trustees is required on or before October 9, 2012; and

WHEREAS, the president of the College, on advice of the College's general counsel, recommends that the conditions placed on the Science West Renovation Project Mandatory Referral Application PRJ2012-11702 by the City of Rockville Planning Commission be responded to stating that while the conditions are not acceptable as a binding requirement from the City, given Montgomery College's status as a state instrumentality, the lack of authority of the City to impose those conditions and the conditions being inappropriate subjects of City enforcement through the mandatory referral process, nevertheless, the College intends to meet the spirit of a majority of the conditions as outlined in the background section of this resolution; and

WHEREAS, the Board of Trustees desires to communicate this additional information with respect to intentions of the College regarding each of the conditions; now therefore be it

Resolved, That the Board of Trustees finds that conditions placed on the Science West Renovation Project Mandatory Referral Application PRJ2012-11702 by the City of Rockville Planning Commission, in recognition of Montgomery College's status as a state instrumentality, are not accepted as they are beyond the authority of the City to impose those conditions and the conditions being inappropriate subjects of City enforcement through the mandatory referral

process; nevertheless, the College intends to meet the spirit of a majority of the requirements of the conditions as outlined in the background to this resolution; and be it further

Resolved, That the president of the College is authorized to send a letter to the City informing the City of this action together with further information relating to the College's intentions as to each of the conditions, consistent with the information contained in the background to this resolution.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland**

Agenda Item Number: 9
September 10, 2012

**AWARD OF CONTRACT
EMPLOYEE DENTAL BENEFIT COVERAGE
BID NUMBER 512-050**

BACKGROUND

The vice president of human resources, development & engagement (HRDE) has requested an award of contract for employee dental benefit coverage for employees, retirees, and their dependents. The current contract for dental coverage will expire on December 31, 2012. A new contract must be awarded by September 2012 in order for coverage to be effective on January 1, 2013. After careful analysis of current industry benefit programs, and based upon the College's need for cost-effective, quality patient-oriented care programs, staff in the HRDE office developed and coordinated bid specifications with the assistance of a health care professional consulting firm, Aon Consulting, Inc. Aon Consulting is the sixth largest employee benefits consulting firm with 50 years of global experience consulting on benefits plans that help attract and retain employees. Aon provides similar services to Montgomery County Public Schools and Montgomery County Government.

A request for proposal was advertised on May 25, 2012. Five responses were received and recorded on June 21, 2012. All responses were evaluated based on established criteria, which included network superiority, administrative services, plan design, demonstrated experience and competitive plan costs for a fully insured dental health maintenance organization (DHMO) and administration of a self-insured indemnity/dental preferred provider organization program (DPPO). CIGNA was declared the highest evaluated firm. CIGNA's proposal included no increase in rates for the dental health maintenance organization (DHMO) with a two-year rate guarantee, and a five percent cap in year three. CIGNA's proposal for the self-insured indemnity/dental preferred provider organization program (DPPO) maintains the current pricing structure for the administrative and network access fee costs for 2013 with a three-year rate guarantee, and a 4% cap in years four and five. The estimated annual cost is approximately \$1,937,940 depending upon participation. Planned expenditures for this contract are available in the FY13 operating budget. Awards resulting from competitive sealed proposals valued above \$250,000 require approval of the Board of Trustees.

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract to CIGNA, Columbia, Maryland, for dental benefit coverage for College employees, retirees and their dependents, with coverage beginning January 1, 2013, for a three-year period, with an estimated annual cost of \$1,937,940 (including claims cost), dependent upon enrollment.

It is further recommended that the contract be renewed for two additional one-year periods, at the sole option of the College, dependent upon enrollment, under the same terms and conditions, provided that services are satisfactory, funding is available, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution
College Policy 63001 - Procurement
Bidders List (Board Members Only)
Bid Summaries (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Ms. Espinosa
Mr. Johnson

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **12-09-070**
Adopted on: **9/10/2012**

Agenda Item Number: 9
September 10, 2012

Subject: Award of Contract, Employee Dental Benefit Program, Bid Number 512-050

WHEREAS, the vice president of human resources, development & engagement (HRDE) is responsible for administering dental coverage for College employees, retirees, and their dependents; and

WHEREAS, the current contract for dental coverage, will expire on December 31, 2012; and

WHEREAS, the acting vice president of procurement certifies that specifications were developed by appropriate College staff and with the assistance of a qualified healthcare benefits professional consulting firm, Aon Consulting, Inc., and the interim vice president of finance/chief finance officer certifies that planned expenditures are available in the FY13 operating budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a request for proposal was publicly advertised in a County newspaper on May 25, 2012, and posted on the College Procurement, Montgomery County, and state of Maryland websites, and downloaded by 13 firms. Five responses were received and recorded, beginning at 3:00 p.m. on June 21, 2012; and

WHEREAS, upon evaluation of the proposals for dental coverage, it was determined that CIGNA, Columbia, Maryland, meets all College requirements, and is the highest evaluated responsible bidder; and

WHEREAS, awards resulting from competitive sealed proposals valued above \$250,000 require approval of the Board of Trustees; and

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

Resolved, That a contract for dental coverage for College employees, retirees, and their dependents be awarded to CIGNA, Columbia, Maryland, with coverage beginning January 1, 2013, for a three-year period, for an estimated annual cost of \$1,937,940, dependent upon enrollment; and be it further

Resolved, That the contract may be renewed for two additional one-year terms, at the sole discretion of the College, under the same terms and conditions, provided that services are satisfactory as determined by the College, funding is available, and it is in the best interest of the College.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 10
September 10, 2012

**AUTHORIZATION FOR THE CHAIR OF THE BOARD OF TRUSTEES TO SELECT
MEMBERS OF THE BOARD OF DIRECTORS OF THE MONTGOMERY COLLEGE LIFE
SCIENCES PARK FOUNDATION, INC., ON BEHALF OF THE COLLEGE**

BACKGROUND

On September 19, 2011, the Board of Trustees authorized the creation by the president of the College of a separate support foundation for the purposes of operating and managing The Hercules Pinkney Park at the Germantown Campus. That entity, named the "Montgomery College Life Sciences Park Foundation, Inc." ("Park Foundation"), was created with the filing of the articles of incorporation with the State of Maryland on November 3, 2011.

Unlike the Montgomery College Foundation, Inc. ("College Foundation"), a philanthropic entity, the Park Foundation is a supporting organization for the College by which at least a majority of its Board members are appointed. Consistent with the Park Foundation bylaws that provide that the College-selected board members are designated by the president or her designee, this resolution is required to formally designate the chair of the Board of Trustees as the appropriate person to select board members to the Park Foundation on behalf of the College, with the president or her designee responsible for implementation.

The Board of the Park Foundation has acted to increase the size of the Park Foundation Board from three to 20, in anticipation of the College proceeding to appoint members to commence the operation of this entity. This operation will include hiring of consultants, agents, and employees, as deemed appropriate, to pursue development of The Hercules Pinkney Park. It is now appropriate to authorize the Chair of the Board of Trustees to move forward with these appointments, in coordination with the president.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the chair of the Board of Trustees to select members of the Board of Directors of the Montgomery College Life Sciences Park Foundation, Inc., in accordance with the bylaws and resolutions of that organization, and authorize the president to designate the individuals selected as Park Foundation Board Members.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

RESOURCE PERSONS

Ms. Jones
Dr. Rai
Mr. Sears
Mr. Sorrell

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **12-09-071**
Adopted on: **9/10/2012**

Agenda Item Number: 10
September 10, 2012

Subject: Authorization for the Chair of the Board of Trustees to Select Members of the Board of Directors of the Montgomery College Life Sciences Park Foundation, Inc. on Behalf of the College

WHEREAS, the Board of Trustees approved a resolution on September 19, 2011, that authorized the creation by the president of the College of a separate support foundation for the purposes of operating and managing the Science and Technology Park at the Germantown Campus; and

WHEREAS, that entity, named the "Montgomery College Life Sciences Park Foundation, Inc." ("Park Foundation"), was duly created with the filing of the articles of incorporation with the State of Maryland on November 3, 2011; and

WHEREAS, the Park Foundation was established by the College as a Section 509(a)(3) supporting organization with respect to the College for the purpose of representing, protecting and promoting the general interests of the College in overseeing the development and operation of The Hercules Pinkney Park on the College's Germantown Campus, as well as to facilitate the use of lease revenue from the Science and Technology Park for the operation of The Hercules Pinkney Park, to leverage the benefits of The Hercules Pinkney Park for the benefit of the College and its students, and otherwise for the benefit of the College as may be directed by the College; and

WHEREAS, consistent with the purposes and bylaws of the Park Foundation, at least a majority of the board members of the Park Foundation must be selected by the College and the Chair of the Board of Trustees is an appropriate person to so select board members of the Park Foundation on behalf of the College, with the president or her designee responsible for designating the individuals selected by the Chair as Park Foundation Board members; and

WHEREAS, the Board of the Park Foundation has acted to increase the numbers of board members of the Park Foundation to enable this entity to commence operating and managing The Hercules Pinkney Park at the Germantown Campus; and

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

Resolved, That the Board of Trustees of Montgomery College authorizes the Chair of the Board of Trustees to select members of the Board of Directors of the Montgomery College Life Sciences Park Foundation, Inc., on behalf of the College, and to authorize the president or her designee to implement those selections by designating as Park Foundation Board members the individuals named by the Chair in accordance with the bylaws of the Montgomery College Life Sciences Park Foundation, Inc., and its resolutions; and be it further

Resolved, That the president is authorized to take such further actions as may be necessary to accomplish the purposes of this resolution.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 11
September 10, 2012

FY12 OPERATING FUND FUNCTIONAL TRANSFER

BACKGROUND

The College administration continues to reallocate budget funding to support high priority College initiatives. During FY12, resources were reallocated to support the increase in student enrollment on all three campuses and to provide for the creation of a new student services division. A functional transfer is necessary to assure the College's expenditures do not exceed the functional appropriation approved by the county council.

Consistent with guidelines established by the Annotated Code of Maryland, a functional transfer request must be approved by the county governing body. The College has sufficient expenditure authority in other functions; it is only necessary to request that the county council approve a transfer between functions. The request is automatically approved after 30 days if the Council fails to take action.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the attached operating fund functional transfer resolution for submission to the county council for approval.

BACK-UP INFORMATION

Board Resolution
Board Policy 61001
Section 16-304 of the Education Article of the Annotated Code of Maryland

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCES PERSON

Ms. Sherman

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland**

Resolution Number: **12-09-072**
Adopted on: **9/10/2012**

Agenda Item Number: 11
September 10, 2012

Subject: Operating Fund Functional Transfer

WHEREAS, Section 16-304(c)(1) of the Education Article of the Annotated Code of Maryland provides that a community college may not spend more on any major function than the amount appropriated; and

WHEREAS, Section 16-304(c)(2)(i) states that transfers of appropriations between major functions shall be submitted in writing and approved by the county governing body before they are made; and

WHEREAS, Section 16-304(c)(2)(i) further states that if the county governing body fails to act on a request for a transfer within 30 days, the request is automatically approved as requested; and

WHEREAS, the College experienced increased student enrollment over the last several years, which impacts the increase in instructional needs and staffing; and

WHEREAS, the College instituted a new student services division to better meet the needs of our students; and

WHEREAS, the College has always made an effort to reallocate funding to support high priority institutional initiatives; and

WHEREAS, the College will exceed the county's approved functional appropriations if proper action is not taken; and

WHEREAS, the president of the College recommends that the Board approve the following resolution; now therefore be it

Resolved, That the Board of Trustees hereby authorizes, subject to county council approval, a functional budget transfer as listed below; and be it further

Functional Category	Approved FY12 Budget	Transfer from (-) to (+)	Amended FY12 Budget
Instruction	\$84,772,373	\$696,501	\$85,468,874
Academic Support	\$26,413,479	(\$696,501)	\$25,716,978
Student Services	\$27,358,270	\$1,087,706	\$28,445,976
Operation/Maintenance	\$33,116,463	(\$1,403,631)	\$31,712,832
Institutional Support	\$42,196,715	\$315,925	\$42,512,640
Scholarships & Fellowships	\$3,397,476	-	\$3,397,476
Total	\$217,254,776	-	\$217,254,776

Resolved, That a copy of the resolution be transmitted to the county executive and county council for approval.