

Frank Phillips College  
Board of Regents  
Regular Meeting  
June 21, 2010

- Members Present: Conny Moore, Odis McClellan, Steve Williams, Jay Campbell, Ed Quiros, Marlene McKinney, and Scott Radach. Absent: Sandra Hilbert.
- Others Present: Herbert J. Swender, Sr., Jud Hicks, Lew Hunnicutt, Shannon Carroll, Becky Green, Jerri Aylor, Rusty Berry, Borger News Herald, and Gloria Rummel.
- Call to Order: Mr. Moore called the meeting to order at 12:40 p.m. and welcomed everyone to the meeting. Dr. Ed Quiros presented the invocation.
- Minutes of the  
May 17, 2010,  
Regular Meeting: Mr. Williams noted that near the bottom of page one of the minutes the word "acclimation" should have been "acclamation." With that correction, Mr. Williams moved that the minutes of the May 17, 2010, meeting be approved. Seconded by Mr. Radach, the motion carried unanimously.
- Report on BCAC  
Summer Programs: Deby Judd, Director of the BCAC, presented a summary of summer camps at the Activity Center:
- The Summer Program provides activities for children in age from six to twelve. There are two employees with the children at all times and the activities utilize all areas of the campus.
  - The Elite Athlete Program provides training to prepare participants to be better athletes. Seth Davis is the instructor for the program.
  - Summer Swimming Lessons. Ms. Judd presented a story about a 22 year-old mother of two who went to the lake with family and friends. Although the young woman could not swim, she decided to get on an inflatable raft. The wind caused the raft to drift into deep water and eventually blew the young woman off. The young woman wound up on the floor of the lake, with water well over her head. She was able to calm herself, remember some information she had received about getting out of sea weed, and she was able to get to the shore. No one knew until much later what had happened, but the young woman made the decision to see to it that no one else had to experience what she had. This incident was more than forty-nine years ago. She took beginning swim lessons 3 ½ times, but did not finish because the instructor was going to take the class into deep water. She did finally finish, got her certification, and now teaches swim lessons for the Activity Center. Mrs. Phyllis McDaniel is teaching more than 45 students per week how to protect themselves from drowning.
- Financial Report: Included in Dr. Hicks financial report:  
Revenues:
- Information regarding the 5% State reduction in appropriations was received earlier this month. FPC will not receive \$141,000 of its State appropriations, which will be divided in three portions in June, July and August. Next year the amount of State appropriations will be reduced by \$15,000 per month.

- Mr. Williams asked if everyone was affected by the 5% reduction. Dr. Swender explained that the K-12 schools were not included in the reduction. The College will not have to “pay back” these funds; the funds will be withheld from State appropriations.
- Dr. Quiros asked if the hike in tuition would cover the loss of the appropriations. Dr. Swender explained that the tuition increase would net the College approximately \$120,000. He also explained that the College employees have been very frugal and that the next budget cycle everyone will know what to expect.
- Ochiltree County tax revenue is up approximately \$14,000 above what had been estimated.
- Donations and Gifts include \$23,000 from the Development Corporation and \$16,000 from Magic Plains; this is interest paid toward scholarships.
- Miscellaneous Income reflects the \$67,000 insurance paid toward the Tyler Street residence hall fire damage. The restoration of the facility should be completed in the next couple of weeks.
- Mr. McClellan asked about scholarships which are over almost \$100,000. Dr. Hicks explained that the bulk of that was from private donations (Brumley and Greater Texas) which would have been noted in Gifts and Donations.

Summary of  
Investments:

Mr. Moore asked about the interest rates on the College CD’s. Dr. Hicks explained that the rate at Herring is 2.75 and at Wells Fargo, 3.83. Mr. Moore wanted to know if funds could be moved from TexPool into higher earning CD’s.

A discussion regarding “laddering CD’s” followed. Mr. Campbell suggested that the business manager see what he can do and that no motion was necessary for that action.

On a motion by Mr. Williams, the Summary of Investments was accepted unanimously as presented.

The Local Government  
Purchasing  
Cooperative:

Dr. Swender explained that the Local Government Purchasing Cooperative, BuyBoard, had been presented at the February Board of Regents meeting. At that time the Board requested counsel’s opinion regarding the agreement. There are no fees to join the Cooperative. The college can see a savings of approximately 10% purchasing through the Cooperative. The College still has the option to make purchases from wherever they find the best price. Mr. Campbell suggested that the administration continue to purchase locally as much as possible and not get “lulled to sleep” regarding purchasing through the Cooperative. “They can get you in and then raise prices.”

On a motion by Mr. Radach, seconded by Dr. Quiros, entering into an agreement with The Local Government Purchasing Cooperative, BuyBoard, was approved with five votes in favor and one vote against from Mr. McClellan.

BCAC Roof Repair:

Dr. Swender explained that approximately six months ago, FPC’s maintenance personnel noticed what appeared to be a bent web member on the structure of the interior of the gymnasium. It was determined that a professional engineer’s opinion was the best source to determine structural issues and possible corrective measures. Copies of the engineer’s report were included in the agenda.

Dr. Swender distributed copies of the history of the BCAC Endowment Fund, noting that funds were never taken from the Endowment to cover the several years of deficit; the last four years are the first time that the Center has operated in the black.

Mr. Williams noted that Dr. Swender, Dr. Hicks, Bill Curry, and he had been on the roof of the BCAC and inside the gymnasium to personally observe the problems. In Mr. Williams' opinion there are three distinct problems:

1. The side goals: the way the side goals are hung appears that the building was not designed to hang side goals. The problem with the side goals is relatively insignificant and easily repaired in-house.
2. The bridge trusses: there are four big bridge trusses; they hold the roof up. One shows damage; the braces are bent a little. In Mr. Williams' opinion, they were probably bent on installation, but there is no way to know for sure when it happened. Six of the web trussings are bent, but only one requires repair.
3. New air conditioning units are not adequately supported. Mr. Williams noted that of the three items, this is the most serious and, if any one item needs urgently to be addressed, this is it. The recommendation is to add steel from beam to beam. The weakness is in the existing 14H5 joists, as shown in the diagram in the agenda.

Mr. Moore asked whose liability was the problem with the inadequate support of the new air conditioning units. Dr. Hicks explained that at the time the new units were installed, the engineers added supports and that the new units were not put back in the same location where the old units had been located. Dr. Hicks noted that there is a difference of opinion from the engineers; couldn't we just hire a welder and have him put in the additional supports? Mr. Williams answered, "Yes."

Mr. Williams added that there is no difference of engineering opinion concerning the loading on the small joists (air conditioning).

Mr. Campbell noted that we didn't know about the problem, now we do know and now we have to fix it.

Dr. Quiros asked if we fix it, where does the money come from for the repairs. Should this be a problem that the BCAC Board decides? Dr. Swender explained that at one time there was a BCAC Advisory Committee, but the Board of Regents has always been the governing board for the BCAC.

Mr. Moore explained that originally the plan was to have a \$500,000 endowment for the BCAC. With the economic downturn, the endowment was set at \$325,000 and it was suggested that we should let it grow to \$500,000. He said, "I strongly oppose spending money for capital expenditures unless we have a plan to replace the funds. I am comfortable if we don't spend below \$500,000. My major, major problem is that one engineer says to do this and another engineer says to do that. Someone should assume the liability for these repairs."

Dr. Hicks added that there is no damage where the RTU's are located. Mr. Williams said it is a matter of arithmetic, these engineers say that there is not nearly adequate support.

Dr. Quiros asked if anyone had talked with the first engineer, the one that designed the facility. Dr. Swender explained that the building was built more than thirty years ago. Mr. Williams explained that the problem with the roof tops (air conditioners) has

nothing to do with the original construction. Mr. Williams also noted that when the air conditioning units were installed on the BCAC gymnasium roof, the engineer on that job should have noticed the problem with the joist girder.

Mr. Campbell suggested that a claim be submitted to the insurance carrier regarding the joist girder. Since we don't know when the damage occurred, it could have happened during the snow storm in 2002. It will not hurt to submit the claim; the insurance company might pay for the repair.

Dr. Hicks asked if the suggestion is to table the decision on the joist girder and ignore the other two items. Mr. Williams said not to ignore, just have more discovery. The roof has been well maintained, there is no problem in the case of a heavy rainfall of having debris clog the drains.

Mr. McClellan asked why we don't just make the repairs.

Mr. Moore agreed that we should file a claim with the insurance company and have them look at the roof; get a determination from them. He appointed Mr. Williams, Mr. Campbell, and Mr. McClellan to a committee to decide what to do and then make a determination as to whether or not a special meeting was needed.

Mr. Williams moved that a single-purpose ad hoc committee be appointed to further investigate the three problems identified with the BCAC roof. Seconded by Mr. Radach, the motion carried unanimously.

Mr. McClellan moved that the administration be authorized to spend up to \$70,000, based on the findings from the committee, to repair the BCAC roof. Seconded by Mr. Williams, the motion carried unanimously.

Mr. Moore asked Dr. Hicks if the BCAC endowment CD's were used as collateral for the loan to renovate the Center. Dr. Hicks answered, no.

After a discussion of how the roof repairs would be made, a portion of the roof being removed and a crane lifting the joist girder, Mr. Moore noted that there should be a written document stating a warranty against leaks for the area of the roof where the repairs would be made.

Items of Information: Included in the Items of Information:

1. Legislative Update: Dr. Swender said that there were interim committees meeting and that there is a lot of discussion regarding the concurrent/dual credit programs. Last week Dr. Swender talked with a House member who said that, "the next Legislative session will be the toughest session ever."
2. Board Calendar
3. Dates and Events
  - a. The Annual Board of Regents Retreat is set for Friday, July 30, 8:00 a.m. to 4:00 p.m. and Saturday, July 31, 8:00 a.m. to 12:00 noon. If everything is finished on Friday, the Saturday session will be canceled. The Retreat is scheduled for the Conference Room of the A&I Building.
  - b. It was the consensus of the Board that the August Board of Regents meeting be moved to August 9<sup>th</sup>, the second Monday of the month.
  - c. Employee In-Service for the 2010-2011 academic year is scheduled for August 12<sup>th</sup> and 13<sup>th</sup>.

President' Report:

There were more than 130 high school students at the Electric Camp last week. Dr. Swender commended Rodney Purswell and Dustin Warren for their efforts on this project. The student stayed in the residence halls, ate in the cafeteria, had access to the BCAC, and attended workshops in the Ag Building.

This week approximately 40 area students will be on campus for the 4-H Leadership Camp. They, too will stay in the residence halls, eat in the cafeteria, have access to the BCAC, and attend workshops in our classrooms.

Dr. Swender noted that although summer maintenance is a challenge with so many students staying in the residence halls, these type activities are an excellent recruiting tool for the College.

Adjournment:

There being no further business, the meeting was adjourned at 2:20 p.m.