

**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
December 15, 2008**

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

Resolution Number: **08-12-134**
Adopted on: **12/15/08**

Agenda Item Number: 6A
December 15, 2008

Subject: Retirement Recognition of Ms. Gloria J. Burriss

WHEREAS, Ms. Gloria J. Burriss (Jean) served Montgomery College with dedication for more than twenty years and retired from the College as of January 17, 2008; and

WHEREAS, during her College tenure, Ms. Burriss provided support to the Germantown Facilities Department beginning as a Clerk Typist and including the past six years as an Administrative Aide; and

WHEREAS, Ms. Burriss has been known for her willingness to assist faculty and staff in resolving issues; and

WHEREAS, Ms. Burriss received an Outstanding Service Award in 1995 for her sustained, outstanding performance to the College; and

WHEREAS, the Director of Facilities - Germantown Campus, the Associate Vice President for College Facilities, and the President of the College recommend this public recognition of Ms. Burriss on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Ms. Jean Burriss 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 of this resolution be presented to Ms. Gloria J. Burriss.

BKJ:abg

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

Resolution Number: **08-12-135**
Adopted on: **12/15/08**

Agenda Item Number: 6B
December 15, 2008

Subject: Retirement Recognition of Ms. Rita Shumaker

WHEREAS, Ms. Rita Shumaker served Montgomery College with dedication and distinction for thirty years and retired from the College as of July 1, 2008; and

WHEREAS, during her College tenure, Ms. Shumaker has provided critical leadership and support to the College; and

WHEREAS, having started her career at the College as a Cafeteria Worker, Ms. Shumaker's commitment to the College was rewarded with new challenging positions including the past ten years as the Administrative Supervisor in the Germantown Facilities' Office; and

WHEREAS, Ms. Shumaker has been praised for her work ethic, initiative, high-quality work standards, and commitment to customer service by the College Community; and

WHEREAS, she has been recognized for her consistent positive can-do attitude and her witty sense of humor; and

WHEREAS, Ms. Shumaker received Outstanding Service Awards in 2008 and 1987 for her sustained, outstanding performance to the College, a Special Recognition Award in 2003, a Team Effort Award in 1994, and sixty-four (64) letters of appreciation reflecting her dedication and customer service skills; and

WHEREAS, the Director of Facilities – Germantown Campus, the Associate Vice President for College Facilities, and the President of the College recommend this public recognition of Ms. Shumaker on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Ms. Rita Shumaker 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 of this resolution be presented to Ms. Rita Shumaker.

BKJ:abg

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

Resolution Number: **08-12-136**
Adopted on: **12/15/08**

Agenda Item Number: 6C
December 15, 2008

Subject: Retirement Recognition for Mr. Prince Taylor

WHEREAS, Mr. Prince Taylor has served Montgomery College in the Office of Information Technology with dedication and distinction for more than ten years and retired from the College on October 31, 2008; and

WHEREAS, Mr. Taylor dutifully manned the night shift for the IT Network Operations Center for all of those years; and

WHEREAS, Mr. Taylor communicated in a professional manner with his colleagues and responded promptly when a situation arose; and

WHEREAS, Mr. Taylor was a team player and valued member of the IT Network Operations Center and at various times went above and beyond his responsibilities to troubleshoot and resolve problems; and

WHEREAS, Mr. Taylor continued to improve his skills to ensure he kept up with the constant change of technology in the IT Network Operations Center; and

WHEREAS, the Chief Information Officer and the President of the College recommend this public recognition of Mr. Taylor on the occasion of his retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Mr. Prince Taylor for his valuable contributions and service to the College, and also extend to him their best wishes for many happy and productive retirement years; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of the resolution be presented to Mr. Prince Taylor.

BKJ:abg

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

Resolution Number: **08-12-137**
Adopted on: **12/15/08**

Agenda Item Number: 6D
December 15, 2008

Subject: Retirement Recognition and Award of Emeritus Status to Dr. A. Scott Leiper

WHEREAS, Dr. A. Scott Leiper has served the students, faculty, and staff of Montgomery College with dedication and enthusiasm as a faculty member at the Rockville Campus for 15 years and retired from the College as of May 16, 2008; and

WHEREAS, Dr. Leiper is known by his colleagues and his students as a superior and dedicated teacher with the expertise and flexibility to teach Principles of Biology I and II, General Biology, and Environmental Biology; and

WHEREAS, he earned an outstanding reputation as a caring and selfless professor and student advocate as evidenced by his outstanding student evaluations and frequently held supplemental reviews outside of class time; and

WHEREAS, Dr. Leiper's reputation as an outstanding professor extended beyond Montgomery College as evidenced by his being awarded the University of Maryland's Certificate of Teaching Excellence upon nomination by a former Montgomery College student; and

WHEREAS, Dr. Leiper demonstrated his commitment to improving the quality and content of Principles of Biology II by serving as the Course Coordinator for many years, by collaborating with the English Department to examine the effective use of writing assignments in Biology courses, and by revising and updating the laboratory manual for the course; and

WHEREAS, he has shown his dedication to the College and the campus by serving as a member of the Faculty Council, collegewide hiring committees, and the Emergency Planning and Response Committee; and

WHEREAS, Dr. Leiper contributed his time and talents to the Biology Department by serving on numerous hiring committees and faculty evaluation committees; and

WHEREAS, Dr. Leiper has shown his professionalism by maintaining currency in his discipline by taking a wide variety of courses including the Ecology of Southeastern Alaska, the Glaciers of Alaska, the Dinosaurs of Western Canada, and the Microbiology of Thermal Springs of Yellowstone; and

WHEREAS, Dr. Leiper was a consummate scholar who traveled extensively to the Arctic, Antarctic, and the Galapagos Islands in order to bring fresh perspectives to his teaching and to share his knowledge with his students and colleagues; and

WHEREAS, the Board of Trustees' policy provides that all faculty members and administrators holding faculty rank who retire with a minimum of ten years service with Montgomery College shall be designated faculty emeritus(a) with appropriate rank or title, subject to approval of the Board of Trustees; and

WHEREAS, the Instructional Dean, the Vice President and Provost, and the President of the College recommend this public recognition of Dr. A. Scott Leiper 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. A. Scott Leiper for his many contributions to the College and extend their best wishes; and be it further

Resolved, That Dr. A. Scott Leiper is granted the status of Professor Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That this resolution becomes a part of the minutes of this Board of Trustees meeting, and a copy of this resolution be presented to Dr. A. Scott Leiper.

BKJ:abg

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

Resolution Number: **08-12-138**
Adopted on: **12/15/08**

Agenda Item Number: 6E
December 15, 2008

Subject: Award Silver Medallion and Emerita Status to Dr. Mary Gallagher

WHEREAS, Dr. Mary Gallagher, professor of Anthropology, served Montgomery College and the Department of Sociology, Anthropology, and Criminal Justice with commitment, dedication, and distinction for more than 34 years and retired as of May 16, 2008; and

WHEREAS, Dr. Gallagher is known by her colleagues and her students for promoting excellence in the classroom, providing inspiration as an instructor, and being accessible as a caring mentor and role model for both students and faculty; and

WHEREAS, Dr. Gallagher advanced her discipline and promoted meaningful educational experiences both at Montgomery College and in the community by obtaining numerous fellowships and grants such as the National Endowment for the Humanities Fellowships, the Maryland Historical Trust Grant, the Montgomery College Fellowship for International Education, and the Smithsonian Fellowship; and

WHEREAS, Dr. Gallagher served her department and the College with energy and foresight through her active involvement and leadership as department chair for four and a half years, as the Anthropology coordinator since 2001, as a founding member of the Women's Studies Program, as chair of the Rockville Scholarship Foundation's Selection Committee, as a member and chair of the Faculty Council; and

WHEREAS, she also extended her talents in service as a member of myriad groups that include the Women's Council, the College Appeals Committee, the Cultural Development Committee, the Smithsonian Internship Committee, the Montgomery County Board of Education Title IX Gender Equity Committee, and the Montgomery Scholars Planning Committee; and

WHEREAS, Dr. Gallagher enthusiastically supported students' extracurricular involvement by serving as an active faculty advisor of the Lesbian Student Alliance and the Anthropology Club; and

WHEREAS, she has made consequential connections and contributions to the global community as a visiting lecturer in The People's Republic of China on three different occasions and by developing and teaching courses related to the culture of China; and

WHEREAS, she received the Outstanding Faculty Award and two National Institute for Staff and Organizational Development (NISOD) awards for excellence in teaching; and

WHEREAS, Dr. Gallagher continuously maintained an active and current role in her discipline through publications of books, monographs, and articles in professional journals on both cultural anthropology and archaeology, and through the delivery of papers at professional meetings; and

WHEREAS, she was an innovative educator, developing and teaching courses such as the Archaeology and Cultural Field Studies course conducted in St. Croix, Virgin Islands, from 1987

to 1998, and in teaching Honors course options in anthropology and in the Montgomery Scholars program; and

WHEREAS, Dr. Gallagher was instrumental in establishing county-wide preservation and management plans for archaeology sites in Montgomery County which led to partnerships between Montgomery College and Montgomery County's Archaeology Program of Maryland National Capital Park and Planning Commission for the benefit of students and the community; and

WHEREAS, the Board of Trustees' policy provides that all faculty members and administrators holding faculty rank who retire with a minimum of ten years of service with Montgomery College shall be designated faculty emeritus(a) with appropriate rank or title, subject to the approval of the Board of Trustees; and

WHEREAS, the Instructional Dean, the Vice President and Provost, and the President of the College recommend this public recognition of Dr. Mary Gallagher on the occasion of her retirement; and

WHEREAS, College policy provides for the awarding of a Silver Medallion to recognize outstanding service to the College; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Dr. Mary Gallagher for 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 Dr. Mary Gallagher is awarded the Silver Medallion in recognition of her outstanding service to the College, and as an expression of the gratitude of the College for her dedication and professional commitment to the College; and be it further

Resolved, That Dr. Mary Gallagher is granted the status of Professor Emerita, and that she be awarded such recognition and honors as may be appropriate to persons holding this rank; and be it further

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

BKJ:abg

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

Agenda Item Number: 8
December 15, 2008

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 PERSON(S)

Ms. Lawyer
Ms. Bokor

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

Resolution Number: **08-12-139**
Adopted on: **12/15/08**

Agenda Item Number: 8
December 15, 2008

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 November 1, 2008, to and including November 30, 2008; 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.

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including November 1, 2008, to and Including November 30, 2008

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
11/24/2008	Akinrimisi, Folashade B	Instructional Assistant	G	Assessment Center RV
11/24/2008	Babra, Surjeet S	Safety & Security Officer	E	Facilities Security RV
11/10/2008	Bass, Bernerd J	Instructional Assistant	G	GITE RV
11/10/2008	Belay, Robel H	Instructional Assistant	H	Information Technology TP/SS
11/24/2008	Berman, Bruce G	Vice Pres Of Inst Advancement	R	Institutional Advancement
11/24/2008	Bishop, David M	General Maintenance Worker	C	Facilities Maintenance RV
11/24/2008	Carlson, Crystal Amber B	Instructional Associate	G	Arts/Humanities/SocialSciences
11/24/2008	Fuentes, Eduardo F	General Maintenance Worker	C	Facilities Maintenance RV
11/24/2008	Garrett, Cordell L	Building Service Worker Lead	D	Facilities Operations TP/SS
11/24/2008	Hartfield, Danyel D	Instructional Associate	H	Student Life TP/SS
11/10/2008	Hawkins, George H	Building Equipment Mechanic	H	Facilities Operations TP/SS
11/10/2008	Malloy, Dwayne D	Building Service Worker Lead	D	Facilities Maintenance TP/SS
11/24/2008	Maxwell, Christopher M	Report & Data Warehouse Supvr	L	Information Technology RV
11/10/2008	McIntosh, Amanda J	Student Services Spec	J	Student Development GT
11/10/2008	Nitz, Nancy L	Senior Administrative Aide	G	Business, Management & Info Sc
11/10/2008	Onyiego, Jairus C	Building Equipment Mechanic	H	Facilities Operations TP/SS
11/24/2008	Roy, Bharti K	Office Assistant	E	Student Development GT
11/24/2008	Russell, Steve J	Instructional Assistant	G	Assessment Center RV
11/10/2008	Sims, Roger A	Building Service Worker	A	Facilities Maintenance RV
11/10/2008	Tumasang, Eugene N	Instructional Lab Coordinator	I	Chemistry RV
11/24/2008	Waters, Keven M	Print Production Coordinator	I	Inst Adv Creative Services

STAFF SEPARATIONS

11/07/2008	Byrd, Robert C	Blg Service Worker	A	Facilities Maintenance GT
11/20/2008	Noss, Margaret D ¹	Admissions & Recruitment	K	School of Art & Design

¹ Deceased

11/21/2008	Rahn, Bruce A ²	Mgr Blg Maint Mechanic	H	Facilities Operations - TP/SS
11/07/2008	Vincent, Alan J ²	CTL Coord	K	Center for Teaching & Learning

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	3	2	0	1	0	6
Male	5	8	1	1	0	15
TOTAL	8	10	1	2	0	21

STAFF SEPARATIONS: Ethnicity and Gender

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

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS: None

² Retirement

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

Agenda Item Number: 9
December 15, 2008

**AMENDMENT TO AWARD OF CONTRACT
E-LEARNING COURSEWARE LICENSE
BID 508-021**

BACKGROUND

With the recommendation and concurrence of Faculty, the Chief Information Officer has requested amending the current contract award to Elluminate, USA for an online e-learning software system. Elluminate's e-learning software is a real-time, web-based, interactive software suite that provides a "virtual" desktop classroom for students to access from any computer with internet access. In December 2007, the College solicited competitive bids for the purchase of an e-learning courseware system that would meet College requirements. The contract was awarded to Elluminate USA, Fort Lauderdale, Florida, the only bidder, with a bid price of \$13,000 for 50 licenses. With this remotely hosted software, instructors teach through live interactions using video and audio connections. Blended courses that use this software provide opportunities for real-time brainstorming, feedback, and demonstrations without the need to schedule classroom space. This software provides easy access, archives playback for students who are not able to attend live sessions, and allows students to review the sessions at their own pace. To date, one hundred and fifty (150) classroom instructors signed up for accounts using the Elluminate e-learning courseware system, three hundred and two (302) sessions were held, and 177 classroom sessions were recorded. For distance learning, this product is considered a "green" solution. Synchronous tools such as Elluminate allow courses which are currently confined to the on-campus environment, to be offered online, substantially diminishing the carbon footprint. Faculty has recommended expanding the use of the courseware into additional courses. Expansion would require the purchase of additional licenses. Modifying the license to an unlimited concurrent license is available at a total cost of \$95,000 for a three-year term, which is a savings of 25%. Board approval is required for modifications to contracts valued above \$50,000.

RECOMMENDATION

It is recommended that the Board of Trustees amend the current contract award for the purchase of an unlimited concurrent license of the Elluminate e-learning software suite and related services, to Elluminate USA, Fort Lauderdale, Florida, for a three-year period, beginning December 2008, for a not-to-exceed amount of \$95,000.

RESOURCE PERSONS

Mr. Leurig
Mr. Sheeran
Dr. Wormack

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

Resolution Number: **08-12-140**
Adopted on: **12/15/08**

Agenda Item Number: 9
December 15, 2008

**Subject: Amendment to Award of Contract, E-Learning Courseware License,
Bid No. 508-021**

WHEREAS, in December 2007, the College solicited and awarded a bid for the purchase of an e-learning courseware software for use in online learning instruction, as a pilot; subsequently, Elluminate USA, Fort Lauderdale, FL, was the only bid response received for a total price of \$13,000 for 50 licenses; and

WHEREAS, to date, 150 classroom instructors signed up for accounts using the Elluminate e-learning courseware system, 302 sessions were held, and 177 classroom sessions were recorded during the pilot; and

WHEREAS, through the use of this e-learning courseware, instructors teach through live interactions using video and audio connections; blended courses that use this software provide opportunities for real-time brainstorming, feedback, and demonstrations without the need to schedule classroom space, and students have easy and available learning through unique delivery systems; and

WHEREAS, faculty recommended expansion of the use of e-learning courseware among other courses, and the Chief Information Officer has recommended amending the contract award for the purchase of an unlimited concurrent license of the Elluminate e-Learning courseware license; and

WHEREAS, the Director of Procurement recommends amending the contract award to expand to concurrent unlimited licenses for a three-year period based on the successful performance of the product, and the Chief Business Officer certifies that the funds are available in the FY2009 Operating Budget; and

WHEREAS, Board approval is required for modification of contracts valued above \$50,000; and

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

Resolved, That the contract award be amended for the purchase of an unlimited concurrent license of, to Elluminate USA, Fort Lauderdale, Florida, for a three-year period, beginning December 2008, for a total not-to-exceed amount of \$95,000.

BKJ:abg

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

Agenda Item Number: 10
December 15, 2008

**REQUEST FOR SUPPLEMENTAL APPROPRIATION
FY2009 CAPITAL BUDGET – GOLDENROD BUILDING RENOVATION PROJECT**

BACKGROUND

This supplemental appropriation request is for expenditure authority for \$507,143 received from the owner of the Goldenrod Building (Royco, Inc.) to pay the owner's share of the renovation of the first floor of this building. A total of \$1,014,285 was received from Royco. One-half of the funds has been paid to the County Economic Development Office for their improvements on the second floor of the building. The lease/purchase agreement between the College and Royco and the sublease with the County had not been completed at the time the College requested funding for this project. The tenant improvement payment was also a negotiation that was not envisioned at the time and, therefore, not included as a funding source on the project description form for the Goldenrod renovation. No additional County funds are required. Supplemental appropriation authority is needed to use the funds for final payments to the contractor on this project.

RECOMMENDATION

It is recommended that a request be submitted to the County Executive and the County Council for consideration in order to amend the College's approved FY2009 Capital Budget to approve a supplemental appropriation in the amount of \$507,143 for the Goldenrod Building Renovation project for appropriation authority to expend funds provided by the building owner for the renovation and for final project costs.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS:

Mr. Capp
Mr. Sheeran
Mr. Moore
Mr. Sorrell

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

Resolution Number: **08-12-141**
Adopted on: **12/15/08**

Agenda Item Number: 10
December 15, 2008

Subject: Request for Supplemental Appropriation, FY2009 Capital Budget, Goldenrod Building Renovation Project

WHEREAS, on May 22, 2008, by Council Resolution #16-570, the County Council approved and appropriated \$102,188,000 for the FY2009 Montgomery College Capital Budget; and

WHEREAS, on June 16, 2008, by Board Resolution #08-06-072, the Board of Trustees approved the final adoption of the FY2009 Capital Budget for the College as amended and approved by the County Council; and

WHEREAS, the College desires to amend the FY2009 Capital Budget (Goldenrod Building Renovation Project – PDF#076624) and provide for a supplemental appropriation of \$507,143 (no additional county funds required) from funds received as the building owner's share of renovation costs for this building; and

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

Resolved, That the Board amends the FY2009 Capital Budget (Goldenrod Building Renovation Project – PDF#076624) to include a supplemental appropriation of \$507,143 (no additional County funds required) from funds received as the building owner's share of renovation costs for this building; 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 for appropriation.

BKJ:abg

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

Agenda Item Number: 11
December 15, 2008

**AUTHORIZATION OF EXECUTION OF GROUND LEASE AGREEMENT AND
PROGRAM MEMORANDUM OF UNDERSTANDING FOR HOLY CROSS HOSPITAL
DEVELOPMENT ON THE SCIENCE AND TECHNOLOGY PARK FOR THE GERMANTOWN
CAMPUS**

BACKGROUND:

Montgomery College (the "College") and the Montgomery College Foundation, Inc. (the "Foundation"), have been working for several years to develop a Science and Technology Park at the Germantown Campus (the "Park"), at the request of, and with the support of, the Montgomery County government. This initiative to develop the Park on the Germantown campus was also supported by the State and the federal government. In proceeding with this development, the College selected a third party developer, Foulger-Pratt Companies ("F-P"), to assist with the development of the Park and to assume certain of the risks associated with the Park. All parties agreed that an anchor or "lead" tenant was needed to bring critical mass to the Park, to support initial infrastructure development and to otherwise assist in the ultimate build-out of the Park with a complete set of tenants that would support the educational mission of the College.

Throughout the process, the College was clear that the tenants of the Park needed to be supportive of the educational programs of the College. This strategy was followed in order to make the Park a positive force for educational excellence at the College while providing support for the economic development goals of the County.

Foulger-Pratt has identified Holy Cross Hospital, Inc. (the "Hospital"), as a potential lead tenant for the Park. F-P has negotiated general terms for a sub-lease of the ground needed in the Park to the Hospital, subject to several conditions including but not limited to the execution of a ground lease between the College and F-P for the Hospital site and an agreement in the form of a memorandum of understanding between the Hospital and the College, satisfactory to the College, that provides for the desired program support for the College. This latter agreement, the "Hospital MOU," will be referenced in the ground lease between the College and F-P, and in turn, the sub-lease between F-P and the Hospital.

Ground Lease and Sub-Ground Lease:

The Ground Lease between the College and F-P, and the associated Sub-Ground Lease between F-P and the Hospital provides the following terms as they impact the College:

Land: Approximately 26 acres of land on the Germantown Campus. The College will convey development rights to the land under a ground lease to F-P, which in turn will enter into a sub ground lease with the Hospital.

Development: The Hospital and F-P will have the right to develop up to 600,000 SF of hospital-related uses and up to 75,000 SF for a medical office building on the Land.

Ground Lease Term: Ninety (90) years from the date Required Approvals are received, but in any event no later than December 31, 2010. The Hospital has the right to extend from December 31, 2010 to June 30, 2011 upon payment of a \$100,000 nonrefundable deposit.

Deposit: \$250,000, at risk upon receipt of Required Approvals.

Ground Rent:

Initial Takedown	\$22.64
Years 1-5	28.00
Years 6-8	30.52
Years 9-11	33.27
Years 12-15	36.26

In addition MC/Foundation will receive \$25/SF, adjusted by inflation, for the medical office building,

Extension Fees: To the extent there is unused floor-area-ratio (FAR) on the Hospital site at the beginning of year 6 and year 11, MC/Foundation will receive \$.60/SF of unused FAR or recoup the ability to develop the unused FAR. The extension fee will be applied to future Ground Rent at the time of subsequent expansions.

Development Rights Term:

F-P will have 15 years to fully develop the Hospital campus, at which time the unused FAR will be available to the College.

Initial Takedown: The Initial Takedown is the greater of 350,000 SF or the actual FAR to be developed in the first phase. Assuming the initial takedown is 350,000 SF, the economics to the MC/Foundation are:

Land Rent (350,000 SF x \$22.64)	\$7,925,000
Less: Brokerage Commissions	\$525,000
MC/FP Costs (est.)	<u>400,000</u>
	<u>925,000</u>
MC/Foundation Proceeds	\$7,000,000

Future Takedowns: The MC/Foundation will receive 100% of the net proceeds from the initial and future takedowns until MC/Foundation receives \$10,000,000, the assumed infrastructure cost. Above \$10,000,000 the net proceeds will be allocated 60% to MC/Foundation and 40% to F-P. To the extent the infrastructure cost is greater or less than \$10,000,000 the preference will be adjusted accordingly.

Road Infrastructure: The MC/Foundation will assume the cost for the road and utility infrastructure required to support the development of the Hospital campus and the Science and Technology Park.

MOU: The program MOU between the College and the Hospital will be incorporated by reference.

Program Memorandum of Understanding:

The Program Memorandum of Understanding between the College and the Hospital will contain the following terms:

Joint Work Group: Establishment of a Joint Work Group to implement the programmatic goals of this MOU and identify further collaborative opportunities by mutual agreement. Several specific duties of the Joint Work Group are described in the MOU.

State Grant Funds: From funds provided by the Hospital, designation of \$50,000 per year from the Maryland Hospital Association's "Who Will Care" Fund for Nursing, starting July 1, 2009, to the College for the next five (5) years.

Additional Funding: The Hospital will contribute additional funding that starts July 1, 2009, at twenty-five thousand dollars (\$25,000) per year and increases in yearly increments of twenty-five thousand dollars (\$25,000) over four years to a maximum of one hundred thousand dollars (\$100,000) to support designated instructional programs.

Additional Teaching Capability: The Hospital will provide at least one Full-Time Equivalent (FTE) employee of the Hospital per year to teach in College designated instructional programs by the date the Hospital facility opens on the Hospital site.

Student Clinical Slots: The Hospital will provide at least sixty-four (64) nursing/health care clinical rotations per semester by one (1) year after opening of the Hospital facility on the Hospital site; College students will be given priority for the clinical sites at the Germantown site.

Instructional Space: The Hospital will include in its Germantown facility and, the extent possible, in other Hospital facilities, instructional space that can be utilized by the College as well as the Hospital for instructional programs in health care and other related fields.

College Programs: The College agrees to formulate and offer, as appropriate, certificate, associate degree, and workforce development and continuing education programs for Hospital employees, to include professional development and industry certification programs.

This resolution authorizes the President of the College or his designee to:

- Negotiate and execute the final Ground Lease with F-P for the Hospital site and the Program MOU with the Hospital, and associated documents, all in accordance with the terms of these transactions as outlined above.
- Authorizes the designation of payments to the Foundation.
- Authorizes the execution and delivery by the President of the College or the Chair of the Board of Trustees, or their designees, of all ancillary documents related to Ground Lease and Program MOU, including but not limited to execution of condominium

documents for the Hospital site and other necessary or appropriate documents for the efficient and effective execution of the Ground Lease, Sub-Ground Lease and the Program MOU.

RECOMMENDATION:

It is recommended that the Board of Trustees approve the resolution to authorize the execution of the Ground Lease Agreement and the Program Memorandum of Understanding for the Holy Cross Hospital development on the Science and Technology Park for the Germantown campus, as well other associated ancillary documents necessary or appropriate to complete the transactions contemplated by the Ground Lease Agreement and the Program Memorandum of Understanding.

BACK-UP INFORMATION:

Board Resolution.

RESOURCE PERSONS:

Dr. Pinkney
Mr. Sorrell

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**

Resolution Number: **08-12-142**
Adopted on: **12/15/08**

Agenda Item Number: 11
December 15, 2008

Subject: Authorization of Execution of Ground Lease Agreement and Program Memorandum of Understanding for Holy Cross Hospital Development on the Science and Technology Park for the Germantown Campus

WHEREAS, Montgomery College (the "College") and the Montgomery College Foundation, Inc. (the "Foundation"), have been working for several years to develop a Science and Technology Park at the Germantown Campus (the "Park"), at the request of, and with the support of, the Montgomery County government; and

WHEREAS, in proceeding with this development, the College selected a third party developer, Foulger-Pratt Companies ("F-P"), to assist with the development of the Park and to assume certain of the risks associated with the Park; and

WHEREAS, all parties agreed that an anchor or "lead" tenant was needed to bring critical mass to the Park, to support initial infrastructure development and to otherwise assist in the ultimate build-out of the Park with a complete set of tenants that would support the educational mission of the College; and

WHEREAS, the College desires that the tenants of the Park are supportive of the educational programs of the College in order to make the Park a positive force for educational excellence at the College while providing support for the economic development goals of the County; and

WHEREAS, Foulger-Pratt has identified Holy Cross Hospital, Inc. (the "Hospital"), as a potential lead tenant for the Park, has negotiated general terms for a sub-lease of the ground needed in the Park to the Hospital, subject to several conditions; and

WHEREAS, the College has negotiated the terms of a Memorandum of Understanding ("MOU") that provides for the desired program support for the College, and this MOU will be referenced in the ground lease between the College and F-P, and in turn, the sub-lease between F-P and the Hospital; and

WHEREAS, the general terms of the Ground Lease to F-P, the associated Sub-Ground Lease between F-P and the Hospital and the Program MOU between the College and the Hospital as described in the Background document accompanying this resolution and are hereby incorporated herein; and

WHEREAS, based on these terms, the Board of Trustees supports moving ahead with the satisfaction of various conditions associated with these transactions as described in the Background document; and

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

Resolved, that the College is hereby authorized to negotiate and execute a Ground Lease with F-P for the Holy Cross site, subject to the terms and conditions contained in the referenced Background document and such other conditions as may be deemed appropriate by the President of the College or his designee; and it is further

Resolved, that the College is hereby authorized to negotiate and enter into a Program MOU with the Hospital consistent with the terms described in the Background document, together with such other terms as may be deemed appropriate by the President of the College or his designee; and it is further

Resolved, that the College is hereby authorized to enter into and execute such ancillary agreements, covenants and documents, and take such other actions, as may be required for the effective and efficient execution of the Ground Lease and Program MOU and associated transactions, approval processes and actions, to successfully develop the Science and Technology Park at the Germantown Campus; and it is further

Resolved, that the College is hereby authorized to create, execute and amend the underlying condominium documents and plats defining the Campus and the hospital site; and it is further

Resolved, that in order to effectuate the transaction described herein, the Board hereby authorizes, directs and empowers the President, Dr. Brian K. Johnson, or his designee, or the Chair of the Board of Trustees or designee (each an "Authorized Officer") to execute and deliver any and all necessary, appropriate or required College Documents on behalf of the College (with such changes as an Authorized Officer shall determine to be necessary, proper, appropriate, advisable or desirable) and each of the College Documents are hereby in all respects authorized, adopted, specified, accepted, ratified, approved and confirmed as executed by the College; and it is further

Resolved, that all agreements, documents and contracts of the College to be entered into in connection with the development of the Hospital site as part of the Science and Technology Park at the Germantown Campus or the execution and delivery of the College Documents (the "Related Documents") as an Authorized Officer shall determine to be necessary, proper, appropriate, advisable or desirable, including but not limited to (i) any tax certificate necessary or desirable to be executed, (ii) any easements or other interests in real property necessary or desirable for the development, operation or construction of the Hospital site, and (iii) any assignment of rights to payment to the Foundation, be and the same are hereby in all respects authorized, adopted, specified, accepted, ratified, approved and confirmed; and it is further

Resolved, that without in any way limiting the power, authority or discretion elsewhere herein granted or delegated, the College hereby (i) authorizes and directs all of the officers, employees and agents of the College to carry out or cause to be carried out, and to perform, such obligations of the College and such other actions as they, or any one of them, in consultation with the College's general counsel, in connection with the leasing activities and the program activities under the Program MOU shall consider necessary, advisable, desirable or appropriate in connection with this resolution, the College Documents, the Related Documents and related transactions, including, without limitation, and whenever appropriate, the execution and delivery thereof and of all other related documents, instruments, financing statements, certifications and opinions, (ii) delegates, authorizes and directs each Authorized Officer the right, power and authority to exercise his or her own independent judgment and discretion in determining and finalizing the terms, provisions, forms and contents of each of the College Documents, any agreement required by the County or amendments to agreements and the Related Documents herein identified and referred to and to execute and deliver any such documents and (iii) authorizes the Authorized Officers to execute certificates of the College. The execution and

delivery by any such officers of the College of any of such documents, instruments, certifications and opinions, or the doing by them of any act in connection with any of the matters which are the subject of this resolution, shall constitute conclusive evidence of both the College's and their approval of all changes, modifications, amendments, revisions and alterations made therein and shall conclusively establish their absolute, unconditional and irrevocable authority with respect thereto from the College and the authorization, approval and ratification by the College of the documents, instruments, certification and opinions so executed and the actions so taken; and it is further

Resolved, that if any one or more provisions of these resolutions should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed severable from the remaining provisions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of these resolutions. If any provisions of these resolutions shall be held or deemed to be or shall, in fact, be inoperative, or unenforceable or invalid in any particular case in any jurisdiction or jurisdictions, or in all cases, because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstance shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions wherein contained inoperative or unenforceable or invalid to any extent whatever.

BKJ:abg

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

Agenda Item Number: 12
December 15, 2008

PART-TIME FACULTY PAY STRUCTURES AND RATES FOR FY2009

BACKGROUND

A three-tier pay structure for part-time faculty was implemented effective in FY2001 and has continued through FY2008. This three-tier pay schedule will continue as it is intended to encourage increased continuity among part-time faculty.

On October 15, 2001, the Board of Trustees approved a supplemental stipend for part-time faculty with high demand skills within the information technology arena. On July 14, 2003, the Board approved including nursing for the supplemental stipend. Furthermore, on June 21, 2004, the Board approved including a supplemental stipend for the health sciences. The supplemental stipend for part-time faculty with high demand skills remains constant in FY2009.

RECOMMENDATION

It is recommended that the Board of Trustees approve an increase in the salary schedules for part-time faculty for FY2009 by approximately five (5) percent effective at the beginning of the 2008-09 academic year.

BACK-UP INFORMATION

Board Resolution
FY2009 Part-time Faculty Pay Schedules

RESOURCE PERSON

Ms. Lawyer

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

Resolution Number: **08-12-143**
Adopted on: **12/15/08**

Agenda Item Number: 12
December 15, 2008

Subject: Part-Time Faculty Pay Structures and Rates for FY2009

WHEREAS, as part of an on-going effort to attract and retain well-qualified, part-time faculty, the College strives to maintain salaries competitive with the market; and

WHEREAS, as part of an ongoing effort to attract and retain well-qualified, part-time faculty with high demand skills within the information technology, nursing, and health sciences arenas, a supplemental stipend for identified courses remains constant; and

WHEREAS, the information technology courses selected for stipends will be determined semester by semester by the Information Technology Leadership Group, managed by the College dean for Information Technology; and

WHEREAS, the nursing and health sciences courses selected for stipends will be determined semester by semester by the Dean of Health Sciences; and

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

Resolved, That the three-tier salary schedule for part-time faculty including a supplemental stipend for teachers with high demand skills within the information technology, nursing, and health sciences arenas, be modified for FY2009 by approximately five (5) percent effective at the beginning of the 2008–09 academic year.

BKJ:abg

Attachment

FY2009 PART-TIME FACULTY PAY SCHEDULES

Three-Tier, Part-Time Faculty Salary Schedule:

Lecturer	base pay rate (\$850 per esh)
Adjunct I	base pay rate + \$40 per esh (\$890), achieved after teaching a minimum of six semesters (may be non-consecutive) and 18 credits as a part-time faculty member at the Lecturer rank and having participated in certain professional development activities; OR Upon initial hire if a recommendation is made for advanced placement for meeting the criteria for that of Adjunct I.
Adjunct II	base pay rate + \$75 per esh (\$925), achieved after teaching a minimum of six semesters (may be non-consecutive) and 18 credits as a part-time faculty member at the Adjunct I rank and having participated in additional professional development activities; OR Upon initial hire if a recommendation is made for advanced placement for meeting the criteria defined for that of Adjunct II.

Three-Tier, Part-Time Faculty Salary Schedule Including Supplemental Stipend for Teachers with High Demand Skills:

Lecturer	base pay rate + stipend = \$850	(\$850 + \$0 = \$850)
Adjunct I	Adjunct I rate + stipend = \$900	(\$890 + \$10 = \$900)
Adjunct II	Adjunct II rate + stipend = \$950	(\$925 + \$25 = \$950)