

**Minutes of the
Gaston College CALLED Board of Trustees
Gaston Country Club
February 11, 2022**

Members Present: Judge Jesse Caldwell, III
Sheriff Alan Cloninger, Secretary
Mr. John Dancoff, Chair
Ms. Jennifer Davis, Vice Chair
Mr. Jonathan Fletcher
Mr. Steve Hall
Ms. Iris Hopper
Ms. Resa Hoyle
Mr. Steve Huffstetler
Ms. Janie Peak
Mr. Tim Smith
Ms. Julie Stroupe
Mr. Randy Vinson
Mr. Joseph Wittmer, SGA President

Dr. John Hauser, President

Members Absent: Mr. Tom Keigher

Others Present: Ms. Shelly Alman, Mr. Todd Baney, Dr. Dewey Dellinger, Ms. Mary Ellen Dillon, Ms. Guyann Howe, Mr. David Nutt, Mr. Greg Smith, Mr. Luke Upchurch; and Mr. Carl Stewart, College Attorney.

I. WELCOME – Chair Dancoff called the meeting to order at 8:45 a.m.

II. INVOCATION – Mr. Vinson

III. ETHICS AWARENESS AND CONFLICT OF INTEREST

Chair Dancoff reminded Trustees of the ethics requirements of public servants and requested they identify any conflicts of interest or appearance of conflicts of interest present. No conflicts were identified.

IV. APPROVAL OF THE AGENDA

Chair Dancoff asked if there were any changes, additions, or corrections to the agenda. None were identified.

V. RATIFY APPROVALS RELAYED ELECTRONICALLY / OTHER

A. Approval of Lincoln Campus Renovation Bid Recommendation

A bid opening was held on December 14, 2021, at 2:00 p.m. for the Lincoln Campus renovations. Seven bids were received and Beam Construction Company, Inc. was the lowest bidder. ADW Architects evaluated the bids and recommended awarding the construction bid to Beam Construction with a base bid of \$895,800.

ADW also recommended acceptance of Alternates 2 and 3 for a total of \$2,260. This includes the preferred alternates discussed during the Owner Preferred Alternate meeting (see below). ADW recommended Gaston College enter into a Contract of Construction with Beam Construction Company, Inc. in the amount of \$898,060.

Alternate No. 2: Provide Corbin Russwin Cylinders and Doors Closers

Alternate No. 3: Provide Milo Electric Medical Spa Treatment chairs for Esthetics Lab

On December 21, 2021, Dr. Hauser sent an email correspondence to the Trustees informing them of this construction bid information. Email correspondence ensued with twelve trustees approving that the project should move ahead as noted. Copies of the email letter from Dr. Hauser to the Trustees, the Bid Recommendation letter, the Certified Bid Tabulation, and the Beam Construction Bid proposal were presented for review.

The estimated project budget for the general contractor was \$1,319,000. The bid from Beam Construction came in significantly lower at \$898,060.

Therefore, be it resolved that the Gaston College Board of Trustees ratify the approval of the Lincoln Campus Bid Renovation Recommendation given through email correspondence resulting from a December 21, 2021, correspondence from Dr. Hauser to the Board of Trustees.

Chair Dancoff asked if there were any questions. Sheriff Cloninger inquired if the bid included any type of camera monitoring system for hallways and entrances. In any new project, he felt this should be included as it was a public expectation that the College would be able to look back at a situation to prove or disprove an incident. Furthermore, camera footage saves legal expenses. Dr. Hauser replied that a pre-construction meeting was coming up, and he would ask about cameras. Sheriff Cloninger added that the College include our Police Chief in that conversation.

Chair Dancoff moved that the Gaston College Board of Trustees ratify the approval of the Lincoln Campus Bid Renovation Recommendation given through email correspondence resulting from a December 21, 2021, correspondence from Dr. Hauser to the Board of Trustees; Ms. Peak seconded the motion. The motion carried.

B. Approval of Beach Volleyball Courts' Cost Adjustment

A bid opening was held on January 4, 2022, for the Beach Volleyball Courts. Only one bid was received from Custom Site Development (a division of Quinn Sales, Inc.). Custom was the general contractor of the Café Upfit and the Firing Range facility.

The base bid was \$284,000 for three beach volleyball courts and site lighting. The bid was \$84k over the proposed estimate of \$200k presented to the Board of Trustees in May 2021.

On January 5, 2022, Dr. Hauser sent email correspondence to the Trustees informing them of this construction bid information. He recommended the construction of three full regulation beach volleyball courts with lighting and using undesignated county capital dollars to fund the shortage. Email correspondence ensued with eleven trustees approving that the project should move ahead as noted. A copy of the email letter from Dr. Hauser to the Trustees and the Custom Site Development Construction Bid proposal were provided for review.

The amount budgeted for the general contractor for this project was \$200,000. The bid from Custom Site Development came in higher at \$284,000. Administration recommends using undesignated county capital funds of \$84,000 to fund the shortage. The Trustees approved the extra funding via email correspondence.

However, the bid did not include the two alternates listed below:

Alternate No. 1: Two additional beach volleyball courts \$125,000

Alternate No. 2: Performance bond and bond payment \$ 2,500

Dr. Hauser would like to include Alternates 1 and 2 in the overall cost of the project. The additional courts would allow Gaston College to host tournaments for which the College could charge rental and attendance fees. The fees would then go back into the program and the College's overall Athletic budget.

Therefore, be it resolved that the Gaston College Board of Trustees ratify the approval of the Beach Volleyball Courts Bid Recommendation given through email correspondence resulting from a January 4, 2022, correspondence from Dr. Hauser to the Board of Trustees and approve the additional cost of the two Alternates listed above.

Chair Dancoff asked if there was any further discussion. A question was asked about the courts' usage and fees. Sheriff Cloninger replied that he wasn't sure what revenue would look like, but he did know a facility with five courts would be a tremendous asset to the College and County. He was familiar with other sand volleyball facilities in the area that hold only two courts, and they were constantly booked. He added that as this is something the Gastonia Parks and Recreation department hasn't considered at this point, it would be great for the County and bring in many other teams who would want to use the facility. Dr. Hauser added that he felt this was a small investment for the monetary return and volume of exposure it will give Gaston College. The College's volleyball coach, Ms. Rachel Noreika, is an Olympian and has her own

volleyball facility in Charlotte. She has told Dr. Hauser that her inclination is that if the College had five courts, she would be able to keep them busy.

Dr. Hauser added that he is currently in discussions with Mr. Michael Applegate, with the Gaston County Department of Travel and Tourism, in hopes they will increase their monetary support of the College's Athletics program. Volleyball courts, such as the ones the College will build, will bring many visitors to the County who will utilize the local hotels and restaurants, thereby upping the tax base for the County. Dr. Hauser added that at the March Board of Trustees meeting he and Coach Nutt would invite Ms. Noreika to come to talk about the volume she sees at her courts in Charlotte and what she projects related to usage for the College's courts.

Sheriff Cloninger moved that the Gaston College Board of Trustees ratify the approval of the Beach Volleyball Courts Bid Recommendation given through email correspondence resulting from a January 4, 2022, correspondence from Dr. Hauser to the Board of Trustees and approve the additional cost of the two Alternates listed above; Mr. Smith seconded the motion. The motion carried.

C. Facility Use Agreement with Perfect Game

Perfect Game will be using Sims Legion Park (Gaston College Baseball Field) for a minimum of 18 weekends (Friday-Monday) per calendar year, with Mondays requiring prior approval by the College. Perfect Game can play no more than 12 games on a weekend; however, if more than 12 games are desired, that must be approved by Gaston College prior to the start of the event. Perfect Game will receive first right of refusal over other organizations for all dates in a calendar year with dates negotiated prior to January 1st of each year.

The term of the agreement runs from January 1, 2022, through December 31, 2029. Either party may terminate the agreement in the event of a breach or default by the other party of any of the terms or conditions of the agreement and cannot be resolved within thirty (30) days.

Responsibilities of Gaston College (GC):

- a. GC shall provide Perfect Game (PG) with exclusive access to the baseball field(s), batting cage(s), press box(es), restrooms, and any other related facilities on the dates noted in the schedule within 'Exhibit A'.
- b. GC shall provide competition-ready fields and a well-maintained facility for all PG Events as determined by the GC, as noted in 'Exhibit A'.
- c. GC shall be responsible for the safe operation and return of any equipment borrowed from PG (i.e., iPad and radar gun if GC employee is serving as scout for scorekeeping of game). Should the GC employee serve as a scout for scorekeeping of a game, the scout will be compensated by PG, as an independent contractor, at a rate to be determined by PG per game.

- d. GC shall permit PG to bring onto licensed premises the necessary equipment, including but not limited to tents, tables, chairs, baseballs, and baseball-related equipment, to conduct the Event(s).

Responsibilities of Perfect Game:

- a. PG will typically schedule a maximum of six (6) games per day at the licensed facility; however, under extenuating circumstances, more than six (6) games may be scheduled and played in a day. PG shall seek GC approval for playing more than six (6) games in any given day. In any case, the parties shall agree ahead of time upon the number of games to be played on any given day.
- b. PG shall provide a scout to keep score of all games and serve as a field director for any tournament related questions or issues; however, under some circumstances, GC may provide an employee of GC to serve as the scout and field director. The GC employee shall be compensated by PG, as an independent contractor, at a rate to be determined by PG per game.
- c. PG shall provide a tournament/event director for all events that will be responsible for game schedules, communications with coaches/teams, and will be on-call to resolve any competition-related disputes. A member of the GC staff will have the first right of refusal to be a tournament/event director.

Perfect Game will provide commercial general liability against liability for bodily injury and personal injury and against liability for property damage in the amounts of at least \$2,000,000 combined single limit per occurrence.

Perfect Game will retain one hundred percent (100%) of all ticket sales for Perfect Game events. Proceeds from apparel, souvenirs and novelty sales for Perfect Game or any affiliate vendors will be maintained by Perfect Game. Perfect Game and associated third-party vendors are entitled to post temporary signs and displays during events. Perfect Game is also granted the rights and privileges to broadcast and record their events from the property.

Perfect Game agrees not to use the name, logo, or trademark of the College in any manner without prior written consent of the college.

Perfect Game agrees to pay thirty thousand dollars (\$30,000) per year to Gaston College paid in separate installments beginning in 2022 (total of eight (8) years.) In addition, Perfect Game will pay a one (1) time fee of \$20,000 over the course of two (2) years for Perfect Game logos placed along the 1st and 3rd baselines of the field.

Payments from Perfect Game will be \$40,000 per year for the 1st and 2nd years and \$30,000 per year for the remaining six (6) years for a total of \$260,000.

Therefore, be it resolved that the Gaston College Board of Trustees approve the draft Facility Use Agreement with Perfect Game Incorporated. The final agreement will be reported to the Board of Trustees.

Chair Dancoff asked if there was any further discussion. Dr. Hauser added that the agreement was fairly standard. He also encouraged the Trustees to thank Perfect Game personnel for being a partner with the College in this endeavor as it brings an additional \$260,000 to the College.

Mr. Stewart then clarified that this agreement is still in draft form as they have received some suggestions from the staff and Trustees about technical changes that should be in the agreement. The College is working on those as expeditiously as possible. He added that this vote will approve the concept and give Gaston College the authority to do the fine tuning.

Mr. Vinson then asked who would control the schedule in the summer months. The way the contract is currently worded, Perfect Game would control scheduling after May 1. His concern was that if the College were to have a regional game, host one, or go into a championship playoff game after May 1, the College would need access to the field until the middle of May. Dr. Hauser assured Mr. Vinson that Perfect Game is aware that the College would have priority in such matters. Mr. Vinson recommended a statement in the contract be specified to that effect.

Gastonia City Parks and Recreation schedules American Legion games and also Highland Technical School and Piedmont Charter practices. When Gaston College is not using the field, Highland Technical School has priority.

Sheriff Cloninger inquired about Perfect Game selling alcohol at their games and the College's insurance policy of \$2,000,000. His concern was that if they did that the College's insurance liability would need to be adjusted to at least \$5,000,000. Dr. Hauser did not believe Perfect Game would be selling alcohol, but he and Mr. Stewart would check to clarify the issue.

Chair Dancoff moved that the Gaston College Board of Trustees approve the draft Facility Use Agreement with Perfect Game Incorporated. The final agreement will be reported to the Board of Trustees; Judge Caldwell seconded the motion. The motion carried.

D. SIMS Legion Park Synthetic Turf Update

A final cost analysis was received from Field Turf indicating a slight increase in the cost of the installation of turf. The original quote of \$898,700 was based on 121,000 square feet of excavation and material. Final architectural drawings indicate the actual square footage of excavation and material is 132,622 square feet, which is an increase of 11,622 square feet. This increase of square footage equates to an increase of \$56,626 for excavation and material. In addition, the two Perfect Game logos on first and third base lines causes an increase of \$4,500. The overall total project increase is \$61,126.

Below is a new shared investment analysis requiring Gaston College to slightly increase commitment to the project.

Field Turf Initial Quote	\$898,700.00	Initial Square Footage	121,000 Sq. Ft.
Field Turf Final Contract Price	\$959,826.10	Final Square Footage	132,622 Sq. Ft.
Final Adjustments/Increases	\$ 61,126.10	Final Adjustments/Increases	11,622 Sq. Ft.

\$61,126.10 price increase:

\$ 4,500.00 for two Perfect Game logos
 \$56,626.10 for increase in square footage

Perfect Game paying additional \$20,000

<u>Initial Investment Schedule</u>		<u>Final Investment Schedule</u>	
City of Gastonia	\$299,567.00	\$309,700.00	(Pending Gastonia Board approval of \$10,133)
Perfect Game Baseball	240,000.00	260,000.00	(Increased by \$20,000 for add'l logos & sq. footage)
Gaston County Schools	80,000.00	80,000.00	(No Change)
Gaston College	<u>279,133.00</u>	<u>310,126.10</u>	<u>(Increased by \$30,993 from Initial Invest. Sched.)</u>
Balance of adj. cost	\$898,700.00	\$959,826.10	

In September 2021, the Trustees approved Gaston College's investment of \$300,000, earmarked from Gaston County Capital Funds. The approval requested the President to inform the Board if the investment was going to exceed \$300,000. This agenda item serves as notification that Gaston College will incur an increase above \$300,000 that will be \$10,126.10.

Therefore, be it resolved that the Gaston College Board of Trustees approve the College to spend above \$300,000, in the amount of \$10,126.10 for the synthetic turf project at Sims Legion Park.

Chair Dancoff asked if there was any discussion. Mr. Vinson inquired if the Gaston County School Board had confirmed their share of the partnership at \$80,000. Dr. Hauser replied that he had had several conversations with Dr. Booker, as he meets monthly with him and Mr. Thierfelder, and he felt sure the School Board would confirm their portion of the partnership at their next School Board meeting; however, it was not in writing at this time.

Chair Dancoff moved that the Gaston College Board of Trustees approve the College to spend above \$300,000, in the amount of \$10,126.10 for the synthetic turf project at Sims Legion Park; Mr. Huffstetler seconded the motion, the motion carried.

Dr. Hauser added that the turf for the field was shipping February 11, 2022, and would be on site by Tuesday. It is Dr. Hauser's hope to open the field on February 26 for the first pitch. After that, he and Mr. Peoples would like to have a ribbon cutting ceremony at the field that involves the Board of Trustees and the Town Board to celebrate all the renovations at the Sims Legion Park. Dr. Hauser is hopeful that with all the activity and renovations at the Sims Park and the CaroMont Health Park the cities' and the College's revenue streams will increase substantially. He added his thanks to the Board for their support in this endeavor.

Mr. Vinson asked about the cost for using the CaroMont Health Park facilities since the Sims Park is not ready to host games. Dr. Hauser deferred this question to Mr. Baney. He replied that since the College had already had a partnership with them related to graduation, Mr. David Martin is considering letting the College use the Park for gratis. The College is very grateful to Mr. Martin for his support of Gaston College. Furthermore, the cost for graduation is less than half of what the College previously paid to rent the Bojangles Coliseum.

E. Changes to FY 2022-2023 Lincoln County Budget

On November 15, 2021, the Board of Trustees approved the FY 2022-2023 Lincoln County operating budget.

The budget brought before the Board in November totaled \$275,201, representing a \$5,252 increase, and included \$852 in retirement and health increases and \$4,400 in a 1.5% salary increase.

College employees have not received a pay increase the past several years. The Governor approved a biennium 5% salary increase in December 2021 spread over two years as 2.5% for fiscal year 2022 and another 2.5% for fiscal year 2023. The College did not include salary increases in our fiscal year 2022 budget request. In addition, effective July 1, 2022, the State requires all employees earn a minimum of \$15 per hour worked. This requirement will cause a salary increase in part-time positions. Lastly, the retirement rates will increase 1.38% and the cost for health insurance will increase 14.6% when compared to last year's budget request. These combined increases will hit the 2022 and 2023 budgets adding \$32,210 in payroll costs for fiscal year 2023.

The revised FY 2022-2023 Lincoln County operating budget is \$304,709, reflecting a \$35,260 increase over the FY 2021-2022 approved budget and includes the following:

- Funding 5% salary increases (\$26,452)
- Funding retirement and health insurance increases (\$5,758)
- Security camera upgrades (\$3,050)

The capital request of \$30,000 remains the same.

The budget package was due to the county on January 21, 2022, and Administration met with the county manager and finance director in early February.

This item was presented for informational purposes; no action was needed.

VI. AJOURNMENT

Chair Dancoff asked if there was any further discussion or items to come before the Board. There were none.

Chair Dancoff entertained a motion to adjourn the meeting. Trustee Cloninger moved to adjourn the meeting; Ms. Davis seconded the motion. The meeting was adjourned at 9:15 a.m.

Respectfully submitted,

Sheriff Alan Cloninger, Secretary

Mr. John Dancoff, Chair

Mary Ellen Dillon, Recording Secretary

(College Seal)