

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB

A regular meeting of the Board of Trustees of the Community College District of the County of Macomb was held Tuesday, March 19, 2013 at 7:30 p.m., in Room K324 of the John Lewis Student Community Center, South Campus, 14500 Twelve Mile Road, Warren, Michigan.

1.0 CALL TO ORDER

The meeting was called to order by Chairperson Kelly at 7:35 p.m. Trustee DiMaria was appointed Acting Secretary.

2.0 ROLL CALL

Present: James F. Kelly, Chairperson
Christine Bonkowski, Vice Chairperson
Roseanne DiMaria, Treasurer
Frank Cusumano, Trustee
Joseph DeSantis, Trustee
Nancy Falcone, Trustee

Absent: Connie Bolanowski, Secretary (excused)

Also present: James Jacobs, President
Patricia Martz, Secretary to the President
Hunter L. Wendt, General Counsel

3.0 APPROVAL OF AGENDA

MOTION by Bonkowski, supported by DiMaria, to approve the agenda as presented.

MOTION by Cusumano, supported by DeSantis, to amend the agenda to remove agenda items 8.3, 8.4, 8.5 and 8.6 and set aside for a vote at a special meeting to be scheduled within one week and further, to place the vote by the Board on these items after audience participation so that the public can have an opportunity to speak prior to the vote.

Trustee Cusumano requested a roll call vote on his motion.

ROLL CALL VOTE:

Ayes: Cusumano, DeSantis

Nays: Bonkowski, DiMaria, Falcone, Kelly

Absent: Bolanowski

Motion failed.

MOTION by Bonkowski, supported by DiMaria, to approved the agenda as presented.

ALL IN FAVOR:

Ayes: Bonkowski, DiMaria, Falcone, Kelly

Nays: Cusumano, DeSantis

Absent: Bolanowski

Motion carried.

4.0 APPROVAL OF MINUTES

4.1 Information Session, February 19, 2013

4.2 Regular Meeting, February 19, 2013

MOTION by Bonkowski, supported by Falcone, to approve the minutes of the February 19, 2013 Information Session and Regular Meeting, as read.

Motion carried.

5.0 BOARD OF TRUSTEES REPORTS/PROPOSALS

None

6.0 PRESIDENT'S REPORTS

President Jacobs thanked the employee groups who participated in the collective bargaining process and the Board of Trustees for their due diligence regarding the tentative agreements.

7.0 FINANCIAL REPORTS

7.1 Financial Statements – February 28, 2013

MOTION by Falcone, supported by DiMaria, to receive and file the financial statements for the eight months ended February 28, 2013.

Motion carried.

7.2 Investment Report – March 3, 2013

MOTION by Falcone, supported by DiMaria, to receive and file the investment report of securities held as of March 3, 2013.

Motion carried.

8.0 PERSONNEL REPORTS

8.1 Personnel Actions – Appointments

MOTION by Falcone, supported by Bonkowski, to approve the appointment of Carey Wellhausen, Administrator, Professional Development Center, effective April 8, 2013.

ROLL CALL VOTE:

Ayes: Falcone, Bonkowski, DeSantis, Cusumano, DiMaria, Kelly

Nays: None

Absent: Bolanowski

Motion carried.

MOTION by Falcone, supported by Bonkowski, to approve the appointment of Anita R. Banach, Director, Personnel Services – NBU, effective April 15, 2013.

ROLL CALL VOTE:

Ayes: Falcone, Bonkowski, DiMaria, Kelly

Nays: Cusumano, DeSantis

Absent: Bolanowski

Motion carried.

8.2 Resolutions of Appreciation for Retirees

MOTION by Bonkowski, supported by DeSantis, to authorize the creation and presentation of resolutions of appreciation to employees who are retiring or have retired from their employment in 2012-2013.

ROLL CALL VOTE:

Ayes: Bonkowski, DeSantis, Cusumano, DiMaria, Falcone, Kelly

Nays: None

Absent: Bolanowski

Motion carried.

8.0 PERSONNEL REPORTS (Continued)

8.3 Tentative Agreement with Macomb Community College Association of Administrative Personnel/UAW Local 2411

MOTION by Bonkowski, supported by DiMaria, to adopt the tentative agreement as the Collective Bargaining Agreement with MCAAP commencing on March 19, 2013 and terminating on June 30, 2018.

Trustee Cusumano indicated that he submitted an oath of office and acceptance of office as well as an affidavit of eligibility to the board secretary this evening. He made the statement that there is no quorum to vote on the agenda items since he believes the other members of the Board have not complied with the statutory requirements of filing these forms as trustees. Trustee Kelly, as Chairperson, made a ruling that a quorum is present. Trustee DeSantis challenged the Chairperson's ruling, and requested a roll call vote.

ROLL CALL VOTE ON CHAIRPERSON KELLY'S RULING ON THERE BEING A QUORUM:

Ayes: Bonkowski, DiMaria, Falcone, Kelly

Nays: Cusumano, DeSantis

Absent: Bolanowski

Ruling sustained.

Trustee Falcone asked to call the question on the original motion as to agenda item 8.3.

Trustee Kelly asked for a roll call vote.

ROLL CALL VOTE:

Ayes: Bonkowski, DiMaria, Falcone, Kelly

Nays: Cusumano, DeSantis

Absent: Bolanowski

Motion carried.

8.0 PERSONNEL REPORTS (Continued)

8.4 Tentative Agreement with AFSCME 2172.16

MOTION by Bonkowski, supported by Falcone, to adopt the tentative agreement as the Collective Bargaining Agreement with AFSCME 1272.16 commencing on March 19, 2013 and terminating on June 30, 2016.

Trustee Cusumano stated that he wishes to make the same procedural objection and asked for a ruling from the Chairperson.

Trustee Kelly, as Chairperson, made the same ruling.

Trustee Falcone asked to call the question on the original motion as to agenda item 8.4.

Trustee Kelly asked for a roll call vote.

ROLL CALL VOTE:

Ayes: Bonkowski, Falcone, DiMaria, Kelly

Nays: Cusumano, DeSantis

Absent: Bolanowski

Motion carried.

8.5 Tentative Agreement with Macomb Community College Faculty Organization

MOTION by Falcone, supported by Bonkowski, to adopt the tentative agreement as the Collective Bargaining Agreement with MCCFO commencing on March 19, 2013 and terminating on August 14, 2018.

Trustee Cusumano stated that he wishes to make the same procedural objection and asked for a ruling from the Chairperson.

Trustee Kelly, as Chairperson, made the same ruling.

Trustee Falcone asked to call the question on the original motion as to agenda item 8.5.

Trustee Kelly asked for a roll call vote.

8.0 PERSONNEL REPORTS (Continued)

ROLL CALL VOTE:

Ayes: Falcone, Bonkowski, DiMaria, Kelly

Nays: Cusumano, DeSantis

Absent: Bolanowski

Motion carried.

8.6 Tentative Agreement with the Association of Adjunct Faculty of Macomb Community College

MOTION by Bonkowski, supported by Falcone, to adopt the tentative agreement as the Collective Bargaining Agreement with AAFMCC commencing on March 19, 2013 and terminating on August 14, 2018.

Trustee Cusumano stated that he wishes to make the same procedural objection and asked for a ruling from the Chairperson.

Trustee Kelly, as Chairperson, made the same ruling.

Trustee Falcone asked to call the question on the original motion as to agenda item 8.6.

Trustee Kelly asked for a roll call vote.

ROLL CALL VOTE:

Ayes: Bonkowski, Falcone, DiMaria, Kelly

Nays: Cusumano, DeSantis

Absent: Bolanowski

Motion carried.

9.0 AUDIENCE PARTICIPATION

Mick Zurek identified himself as an employee of the college and addressed the Board regarding his concerns about the handling of the tentative agreement with AFSCME 2172.16 and his concerns regarding the ratification meeting. He asked the Board to reconsider voting on this matter and not participate in what he believes is circumventing the right-to-work law.

Ron Babin identified himself as a taxpayer from Sterling Heights and addressed the Board regarding his concerns on the process in which the collective bargaining was handled which he believes is an attempt to circumvent a law. He reminded the Board that they are there to serve the public.

Simon Haddad of Clinton Township stated that he made a request at the information session earlier in the evening and would like to receive a response on that request. He stated that he is not in favor of the process at the board meetings of not being able to interact with the Board in constructive dialogue and would like to know, as a citizen and taxpayer, how questions can be answered during audience participation to better understand the Board's reasoning for their actions.

Charley Jackson identified himself as a Macomb County taxpayer and thanked the Board for their approval on the collective bargaining contracts and believes they negotiated in good faith for the taxpayers and the college.

John Oleczuk identified himself as a Macomb County resident and former adjunct faculty at the college. He commended the Board for approving the collective bargaining contracts which he believes benefits both college employees and students over the next few years.

Al Vladek, who identified himself as a Macomb County resident, thanked the Board for their vote on the contracts and thanked President Jacobs for serving well as president of the college.

10.0 REPORTS OF ADMINISTRATION – INFORMATION ITEMS

None

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS

11.1 Donations

MOTION by Bonkowski, supported by DiMaria, to accept the donations as presented and acknowledged by the Administration.

Motion carried.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS (Continued)

11.2 Change Orders

None

11.3 Authorization for Purchases

11.3A Macomb Center for the Performing Arts 2013-2014 Season Brochure

MOTION by Falcone, supported by Bonkowski, to approve the bid for the Macomb Center for the Performing Arts 2013-2014 season brochure in the amount of \$45,152 to Printwell, Inc. of Taylor, Michigan, the lowest bidder meeting college specifications.

ROLL CALL VOTE:

Ayes: Falcone, Bonkowski, Cusumano, DeSantis, DiMaria, Kelly

Nays: None

Absent: Bolanowski

Motion carried.

11.4 2013 Renovation Projects – Addition of East Campus Roof Replacement

MOTION by Bonkowski, supported by Falcone, to approve the East Campus roof replacement as an additional renovation project for 2013.

ROLL CALL VOTE:

Ayes: Bonkowski, Falcone, Cusumano, DeSantis, DiMaria, Kelly

Nays: None

Absent: Bolanowski

Motion carried.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS (Continued)

11.5 Renewal of License with Michigan Liquor Control Commission

MOTION by Falcone, supported by Bonkowski, to adopt the Resolution designating Casandra Ulbrich, Vice President for College Advancement and Community Relations as the authorized representative of the college with respect to executing any and all documents required by the Michigan Liquor Control Commission.

Trustee DeSantis commented that he has consistently voted against this item and it is his philosophy that liquor should not be served at the college.

ROLL CALL VOTE:

Ayes: Falcone, Bonkowski, Cusumano, DiMaria, Kelly

Nays: DeSantis

Absent: Bolanowski

Motion carried.

12.0 POLICY ACTIONS

None

13.0 ADJOURNMENT

MOTION by Falcone, supported by DiMaria, to adjourn the meeting.

Motion carried.

The meeting adjourned at 8:05 p.m.

COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB
BOARD OF TRUSTEES

Acting Secretary