

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, September 17, 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 7:54 p.m.

2.0 ROLL CALL

Present: James F. Kelly, Chairperson
Christine Bonkowski, Vice Chairperson
Connie Bolanowski, Secretary
Roseanne DiMaria, Treasurer
Frank Cusumano, Trustee
Joseph DeSantis, Trustee

Absent: Nancy Falcone, Trustee (excused)

Also present: James Jacobs, President
Patricia Martz, Secretary to the President
Hunter L. Wendt, General Counsel/Executive
Director, College Police

3.0 APPROVAL OF AGENDA

POINT OF ORDER: Trustee Cusumano questioned whether agenda item 5.0, Board of Trustees Reports/Proposals, conforms with the agenda that is set by the Bylaws. He inquired of Chairperson Kelly if 5.0, Board of Trustees Reports/Proposals, has been on the past agendas. Chairperson Kelly responded that it is his recollection that this agenda item has always been on the regular meeting agenda. Chairperson Kelly offered to remove that item from the agenda, stating that in terms of the Bylaws, it is his belief that the Bylaws prescribe the minimum of what is required on the agenda. Mr. Wendt commented that he believes agenda item 5.0 is included in the bylaws. Trustee Cusumano accepted the ruling of General Counsel.

MOTION by Cusumano, supported by DeSantis, to amend agenda item 11.4 to break it down as follows: 11.4(A): 2014 - Proposed expenditure of \$15,648,349; 11.4(B): 2015 - Center Campus F Building and other items for 2015 in the amount of \$5,398,049; and 11.4(C): 2016 - South Campus G & H Buildings in the amount of \$18,165,865.

DISCUSSION: Trustee Cusumano stated that the point of his motion is that agenda item 11.4 has several items within that agenda item for which the Board must vote on once and that some Trustees may be willing to vote in the affirmative for some items but not all of the items combined.

Chairperson Kelly inquired of the Vice President for Business, Elizabeth Argiri, if separating those items would affect the solicitation of bids and pricing. Ms. Argiri responded that Trustee Cusumano had asked that question prior to the information session and that her response then was that the college has always presented the Board with an annual renovation program in order to complete the planning in advance and to work quickly during the times that are least disruptive to students, faculty and staff. William Simonson, Director of Administrative Services, also responded that each project will be bid separately. Ms. Argiri further responded that grouping the projects for professional services (i.e. construction manager, architects, engineers) resulted in savings/cost efficiencies.

Trustee Cusumano restated his motion to amend 11.4, which was supported by Trustee DeSantis. Mr. Wendt asked for clarification as to whether he is asking for a vote year by year. Trustee Cusumano stated that this is a large expenditure in 2014 of over \$15,000,000 and he is unsure how those amounts will be divided. He would like to know how much each expenditure will be, i.e., the 12 Mile Road crosswalk, roofing, ADA renovations for South Campus E building, etc. Chairperson Kelly stated it is his understanding that Trustee Cusumano is asking for three separate votes for the appropriations for each year.

ROLL CALL VOTE:

Ayes: Cusumano, DeSantis

Nays: Bolanowski, Bonkowski, DiMaria, Kelly

Absent: Falcone

Motion failed.

ALL IN FAVOR TO APPROVE THE AGENDA AS PRESENTED:

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

Nays: None

Absent: Falcone

Agenda approved.

4.0 APPROVAL OF MINUTES

4.1 Special Board Planning Meeting, July 16, 2013 (amended)

4.2 Information Session, August 20, 2013

4.3 Regular Meeting, August 20, 2013

MOTION by Cusumano, supported by Bonkowski, to approve the amended minutes of the July 16, 2013 Special Board Planning meeting and approve the minutes of the August 20, 2013 Information Session and Regular meeting.

Motion carried.

5.0 BOARD OF TRUSTEES REPORTS/PROPOSALS

5.1 Reports by Board Members

Trustee Cusumano stated that he is requesting three proposals be placed on the agenda at the next regularly scheduled board meeting, as follows, to be voted on by the Board of Trustees:

- (1) That all "electronic packages" except matters pertaining to closed session under the Open Meetings Act be made available for public inspection on the college's website;
- (2) That all students who are eligible and register for the graduation commencement ceremony be given their caps and gowns at no expense to them for the winter 2013 and spring 2014 commencement ceremonies and that the expenses be paid from the college's general fund;
- (3) That the Bylaws be amended to place agenda item 9.0, Audience Participation, after 3.0, Approval of Agenda, or prior to any votes by the Board on contracts.

6.0 PRESIDENT'S REPORTS

None

7.0 FINANCIAL REPORTS

7.1 Financial Statements – August 31, 2013

7.2 Investment Report – September 1, 2013

MOTION by Bonkowski, supported by Bolanowski, to receive and file the financial statements for the two months ended August 31, 2013 and the investment report for September 1, 2013.

Motion carried.

7.0 FINANCIAL REPORTS (Continued)

7.3A Audited Financial Statements for the Year Ended June 30, 2013

7.3B Macomb Community College Foundation Audited Financial Report 2012-2013

MOTION by Bonkowski, supported by Bolanowski, to receive and file the Macomb Community College Financial Report 2012-2013 and the Macomb Community College Foundation Financial Report 2012-2013 as presented.

ROLL CALL VOTE:

Ayes: Bonkowski, Bolanowski, Cusumano, DiMaria, Kelly

Nays: DeSantis

Absent: Falcone

Motion carried.

8.0 PERSONNEL REPORTS

8.1 Personnel Actions - Appointments

MOTION by Bonkowski, supported by DiMaria, to approve the appointment of Deborah Brunell-Ross, Administrator, Workforce/Continuing Education, Engineering and Advanced Technology, effective September 18, 2013.

ROLL CALL VOTE:

Ayes: Bonkowski, DiMaria, Bolanowski, Cusumano, Kelly

Nays: DeSantis

Absent: Falcone

Motion carried.

9.0 AUDIENCE PARTICIPATION

None

10.0 REPORTS OF ADMINISTRATION – INFORMATION ITEMS

None

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS

11.1 Donations

MOTION by Cusumano, supported by DiMaria, to accept the donations as presented.

Motion carried.

11.2 Change Orders

None

11.3 Authorization for Purchases

11.3A 2014 Ford Police Interceptor Vehicles

MOTION by DiMaria, supported by Bolanowski, to authorize the purchase of two 2014 Ford police interceptor vehicles in the total amount of \$55,679 from Gorno Ford of Woodhaven, Michigan.

ROLL CALL VOTE:

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

Nays: None

Absent: Falcone

Motion carried.

11.3B Renewal of Document Imaging Software Maintenance Agreements

MOTION by Bonkowski, supported by DiMaria, to renew its software maintenance and service contracts with Perceptive Software LLC of Shawnee, Kansas for fiscal years 2014-2020 in an amount of \$113,820 per year and for additional disk storage not to exceed \$84,000 for the life of the contract.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS (Continued)

11.3B Renewal of Document Imaging Software Maintenance Agreements
(Continued)

DISCUSSION: Trustee Cusumano asked if the reason the college did not go through the bidding process is because the college is currently using this software. Michael Zimmerman, CIO and Executive Director of Communications and Information Technology, responded in the affirmative, stating that the purchase of the original software went through the bidding process on September 21, 2010 under agenda item 11.3B.

ROLL CALL VOTE:

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

Nays: None

Absent: Falcone

Motion carried.

11.3C Turnitin Anti-Plagiarism and Grading Software Tool

MOTION by Bonkowski, supported by DeSantis, to authorize the purchase of Turnitin Anti-Plagiarism and Grading Software from iParadigms, LLC of Oakland, California for a three-year period for an amount not to exceed \$58,289.10.

ROLL CALL VOTE:

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

Nays: None

Absent: Falcone

Motion carried.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS (Continued)

11.4 2014-2016 Renovation Program

MOTION by DiMaria, supported by Bolanowski, to approve the 2014-2016 Renovation Program and authorize the administration to solicit proposals, quotes and bids and award contracts, subject to the approval of General Counsel, to the lowest qualified bidders that will provide acceptable quality, service and performance meeting college specifications.

DISCUSSION: Trustee Cusumano stated that he believes there may be a possible violation of the Open Meetings Act in the delegation of this authority without a vote by the Board in that legal counsel will be making that decision without an open meeting; that we will be making a decision that's going to be made in the future that is subject to the Open Meetings Act.

ROLL CALL VOTE:

Ayes: DiMaria, Bolanowski, Bonkowski, Kelly

Nays: Cusumano, DeSantis

Absent: Falcone

Motion carried.

11.5 Budget for the Renovation of South Campus C Building

MOTION by Bonkowski, supported by DiMaria, to approve the budget for the South Campus C Building project and authorize the Administration to proceed with the project planning.

ROLL CALL VOTE:

Ayes: Bonkowski, DiMaria, Bolanowski, Cusumano, Kelly

Nays: DeSantis

Absent: Falcone

Motion carried.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS (Continued)

11.6 Resolution in Support of the Macomb Community College Retiree Association

MOTION by DiMaria, supported by Bolanowski, to adopt the proposed Resolution in support of the Macomb Community College Retiree Association.

ROLL CALL VOTE:

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

Nays: None

Absent: Falcone

Motion carried.

12.0 POLICY ACTIONS

None

13.0 ADJOURNMENT

MOTION by Bonkowski, supported by Bolanowski, to adjourn the meeting.

Motion carried.

The meeting adjourned at 8:19 p.m.

COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB
BOARD OF TRUSTEES

Secretary