

APPROVED 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 15, 2016 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 7:50 p.m.

2.0 ROLL CALL

Present: James F. Kelly, Chairperson
Vincent Viviano, Vice Chairperson
Jennifer Haase, Secretary
Roseanne DiMaria, Treasurer
Frank Cusumano, Trustee
Elizabeth Lucido, Trustee

Absent: Joseph DeSantis, Trustee

Also present: James Jacobs, President
Sharon Kowal, Exec. Admin. Assistant to the President
Hunter L. Wendt, General Counsel

3.0 APPROVAL OF AGENDA

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

ALL IN FAVOR:

Ayes: DiMaria, Haase, Cusumano, Lucido, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

4.0 APPROVAL OF MINUTES

4.1 Information Session, February 16, 2016

MOTION by Haase, supported by DiMaria, to approve the minutes of the February 16, 2016 Information Session, as read.

ALL IN FAVOR:

Ayes: Haase, DiMaria, Cusumano, Lucido, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

4.2 Regular Meeting, February 16, 2016

MOTION by Haase, supported by DiMaria, to approve the minutes of the February 16, 2016 Regular Meeting, as read.

ALL IN FAVOR:

Ayes: Haase, DiMaria, Cusumano, Lucido, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

4.3 Special Meeting, January 25, 2016

MOTION by Haase, supported by DiMaria, to approve the minutes of the January 25, 2016 Special Meeting, as read.

ALL IN FAVOR:

Ayes: Haase, DiMaria, Lucido, Viviano, Kelly

Nays: Cusumano

Absent: DeSantis

Motion carried.

4.4 Special Meeting, February 23, 2016

MOTION by Haase, supported by DiMaria, to approve the minutes of the February 23, 2016 Special Meeting, as read.

ALL IN FAVOR:

Ayes: Haase, DiMaria, Cusumano, Lucido, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

5.0 BOARD OF TRUSTEES REPORTS/PROPOSALS5.1 Board of Trustees Reports

MOTION by Haase, supported by Viviano, that the Board of Trustees authorizes General Council to issue the Request for Proposal, previously provided to the Board, for a search firm or individual to guide and counsel the Board of Trustees in the presidential search process.

ROLL CALL VOTE:

Ayes: Haase, Viviano, Cusumano, DiMaria, Lucido, Kelly

Nays: None

Absent: DeSantis

Motion carried.

Trustee Cusumano reported that he looked at Board meeting minutes from four years ago and filed an Open Meetings Act complaint with the County Prosecutor. Eric Smith, the County Prosecutor, declined to pursue or authorize any action against the Board or any individual Trustee. Mr. Cusumano stated that the reason he brings this up, is to disclose it to the public and also his fellow trustees, that as trustees it is their job and their duty under their oath of office to insure that all the laws, including the Open Meetings Act, are followed assiduously and to the best of their ability. He also stated he traditionally does not vote to go into executive session because he doesn't believe in secret government and he is very concerned about strict compliance because the Board is the representative of the people.

Mr. Wendt stated that the trustee is clearly entitled to his opinion however, he has misstated the law. He has implied that the law does not permit the Board, upon compliance with the Open Meetings Act, to go into executive session. He is misstating the law and misrepresenting the state of the law.

6.0 PRESIDENT'S REPORTS

None.

7.0 FINANCIAL REPORTS

7.1 Financial Statements – February 29, 2016

MOTION by DiMaria, supported by Cusumano, to receive and file the financial statements for the eight months ended February 29, 2016.

ALL IN FAVOR:

Ayes: DiMaria, Cusumano, Haase, Lucido, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

7.2 Investment Report – February 28, 2016

MOTION by DiMaria, supported by Viviano, to receive and file the investment report of securities held as of February 28, 2016.

ALL IN FAVOR:

Ayes: DiMaria, Viviano, Haase, Lucido, Kelly

Nays: Cusumano

Absent: DeSantis

Motion carried.

7.0 FINANCIAL REPORTS (Continued)7.3 General Fund Planning and Tuition Rate for 2016/2017

MOTION by DiMaria, supported by Haase, to adopt the in-district, out-of-district, out-of-state/foreign, affiliate and variable tuition rates and the registration fee for the academic year 2016/2017, as set forth below:

	Current	Proposed
In-District Rate	\$ 94.00	\$ 97.00
Out-of-District	160.00	180.00
Out of State/Foreign	206.00	230.00
Affiliate*	119.00	123.00
Variable (minimum contract)^	94.00	97.00
Registration Fee:	40.00	50.00

*Applies to students living in specific communities that are not served by a community college.

^Applies to agreements with third parties whom pay tuition on behalf of the student.

DISCUSSION:

Trustee Kelly stated that the minutes from a meeting held a couple of years ago were quoted as though there was no discussion concerning tuition increases and that something nefarious happened. But the public should be aware that the Board has spent at least two meetings discussing this tuition action. So if the vote is taken at this meeting, and there is no discussion, that means Trustees questions were all answered. It doesn't mean that there wasn't thoughtful reflection on the part of the Board of Trustees or that they didn't exercise their duty or didn't do the due diligence that they felt was necessary. Although the Board respects free speech and people are free to say things, very often they mischaracterize things.

Trustee Cusumano asked Ms. Argiri, Vice President of Business what the current full-time faculty headcount is and has that number deviated from where it was five years ago. Ms. Argiri stated that full-time faculty was around 241 and may have increased slightly over the past five years. Trustee Cusumano said when you say slightly, are you talking one or two? Trustee Cusumano also asked, over the last five years how many full year equated students have we lost? Trustee Kelly said, I guess we are going to rehash all the discussions we've had for the last two months -- but for the last five years we have spiked in enrollment and we've decreased, so when you ask for numbers like that it can be misleading. I would think if you are going to average enrollment over the last five years, it was positive. Although what we really want to be concerned about now is that we are on a downward trend. Trustee Cusumano said so that he is clear on what Trustee Kelly just indicated, we spiked over the last five years, is inaccurate. We have been steadily declining from my reading of the numbers in the report you just gave for the last five years. Ms. Argiri stated that the College enrollment peak was in 2010 and we recognized that the peak enrollment was not necessarily sustainable.

ALL IN FAVOR:

Ayes: DiMaria, Haase, Lucido, Viviano, Kelly

Nays: Cusumano

Absent: DeSantis

Motion carried.

8.0 PERSONNEL REPORTS

8.1 Personnel Actions - Appointments

MOTION by DiMaria, supported by Haase, to approve the appointment of Cathy Kelly, to Instructor of Biology, effective August 16, 2016.

ROLL CALL VOTE:

Ayes: DiMaria, Haase, Lucido, Viviano, Kelly

Nays: Cusumano

Absent: DeSantis

Motion carried.

8.2 Resolutions of Appreciation for Retirees

MOTION by Viviano, supported by Cusumano, to authorize the creation and presentation of resolutions of appreciation to employees who are retiring or have retired from their employment in 2015-2016.

ROLL CALL VOTE:

Ayes: Viviano, Cusumano, DiMaria, Haase, Lucido, Kelly

Nays: None

Absent: DeSantis

Motion carried.

9.0 AUDIENCE PARTICIPATION

None.

10.0 REPORTS OF ADMINISTRATION – INFORMATION ITEMS

10.1 Sub-award Contract Community College Research Center

10.2 Contracts awarded through the American Apprenticeship Initiative Grant

10.3 Construction Status Report

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS

11.1 Donations

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

ALL IN FAVOR:

Ayes: DiMaria, Haase, Lucido, Viviano, Kelly

Nays: Cusumano

Absent: DeSantis

Motion carried.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS (Continued)

11.2 Change Orders

None.

11.3 Authorization for Purchases

11.3A Content on Demand Pre-Algebra, Beginning Algebra, and Intermediate Algebra Licensed Material

MOTION by Haase, supported by DiMaria, that the Board of Trustees authorize the College to enter into a three-year contract with Content on Demand, Inc. of Carmel Valley, CA, subject to review and approval by General Counsel, to provide Content on Demand software in an amount not to exceed \$239,850. This purchase will be an expenditure from the General Fund and will be covered by course fees.

DISCUSSION:

Trustee Cusumano asked if the course fees are fixed or is it anticipated that the course fees will increase as a result of this vote.

Mr. Mike Somyak, Associate Dean of Arts and Sciences, Mathematics and Science, at Center Campus responded that the course fees that would be assessed are intended to keep in place for the duration of the three-year contract. They could be modified should the contract be renegotiated after the three years, but they are intended to be set.

Trustee Cusumano asked what the learning management system (LMS), CANVAS is and how does it work? Mr. Somyak said that the learning management system is the system the College has chosen to succeed ANGEL, the current system. CANVAS works very similar to ANGEL, but ANGEL was going out of business, so a replacement had to be chosen. The College deemed that CANVAS was the most appropriate replacement and, for most of the college, CANVAS works almost exactly the same as ANGEL. Content on Demand works slightly different and it had come to a point to take a look at how to best merge the two together. Previously, students were asked to buy individual site licenses for Content on Demand at a cost of \$90+. The negotiation with Content on Demand and working with the College as the focal point that cost has reduced to \$65.

ROLL CALL VOTE:

Ayes: Haase, DiMaria, Cusumano, Lucido, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS

11.3B Twenty-One (21) MSA Fire Hawk Self-Contained Breathing Apparatuses

MOTION by DiMaria, supported by Haase, to approve the purchase of (21) MSA Fire Hawk Self-Contained Breathing Apparatuses in the amount of \$82,425 with Apollo Fire Equipment Company of Romeo, Michigan.

ROLL CALL VOTE:

Ayes: DiMaria, Haase, Cusumano, Lucido, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

11.3C Four (4) Clausing Colchester Lathes

MOTION by Haase, supported by Viviano, to authorize the purchase of four (4) Clausing Colchester Geared Head Lathes and accessories in the amount of \$72,537 from Production Tool Supply located in Warren, MI.

ROLL CALL VOTE:

Ayes: Haase, Viviano, Cusumano, DiMaria, Lucido, Kelly

Nays: None

Absent: DeSantis

Motion carried.

11.4 Guiding Principles and Institutional Priorities for Macomb Community College

MOTION by DiMaria, supported by Lucido, to approve the Guiding Principles and Institutional Priorities for Macomb Community College as presented.

ROLL CALL VOTE:

Ayes: DiMaria, Lucido, Haase, Viviano, Kelly

Nays: Cusumano

Absent: DeSantis

Motion carried.

12.0 POLICY ACTIONS

12.1 Amendments to the Board of Trustee Policy on Grading, Reports and Symbols (Second Reading)

MOTION by Lucido, supported by DiMaria, to approve the Second Reading of the proposed revisions to the Policy on Grading, Reports and Symbols.

ROLL CALL VOTE:

Ayes: Lucido, DiMaria, Cusumano, Haase, Viviano, Kelly

Nays: None

Absent: DeSantis

Motion carried.

12.0 POLICY ACTIONS (continued)

12.2 Amendments to the Board of Trustee Policy on Awarding of Associate Degrees and Academic Certificates (Second Reading)

MOTION by DiMaria, supported by Viviano, to approve the Second Reading of the proposed revisions to the Policy on Awarding of Associate Degrees and Academic Certificates.

DISCUSSION:

Trustee Cusumano stated that he abstained on this vote last session and will be abstaining again. He does not know enough about this to form a belief one way or the other whether or not it is a good policy or not. So in case anyone in the public is wondering why there is an abstain vote, it is because if he doesn't understand something and can't make an intelligent decision on it he will abstain rather than vote no.

ROLL CALL VOTE:

Ayes: DiMaria, Viviano, Haase, Lucido, Kelly

Nays: None

Abstain: Cusumano

Absent: DeSantis

Motion carried.

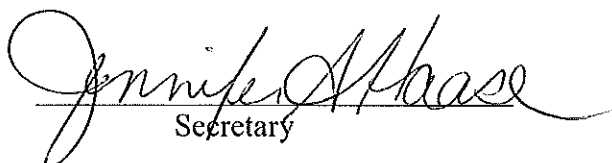
13.0 ADJOURNMENT

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

Motion carried.

The meeting adjourned at 8:18 p.m.

COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB
BOARD OF TRUSTEES


Secretary