

CORRECTED APPROVED MINUTES OF THE INFORMATION SESSION OF THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB

An open information session of the Board of Trustees of the Community College District of the County of Macomb was held Tuesday, November 16, 2016 at 6:00 p.m., in Room K307, 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 6:34 p.m.

2.0 ROLL CALL

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

Absent: Joseph DeSantis, Trustee
Elizabeth Lucido, Trustee

Also present: James Jacobs, President
Sharon Kowal, Executive Administrative Assistant to the President
Jill Thomas-Little, Vice President, Student Services
Gerri Lynn Pavone, Executive Director, Research and Planning
James Sawyer, Provost/Senior Vice President, Learning Unit
Casandra Ulbrich, Vice President, College Advancement
and Community Relations
Hunter L. Wendt, General Counsel/Executive Director, College Police
Denise Williams, Vice President, Human Resources

Chairperson Kelly welcomed Ms. Kathie Lorenzo to the meeting. Ms. Kristi Dean was unable to attend tonight, but she will be at the meetings in December.

3.0 APPROVAL OF AGENDA

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

Motion carried.

4.0 AUDIENCE PARTICIPATION

None.

5.0 REVIEW OF AGENDA ITEMS AND MATERIAL

Trustee Kelly stated that meeting dates are on the agenda for the regular meeting but he would like to add it to this agenda as Item 6.2A for discussion. There were no objections.

6.0 ISSUES AND UPDATES

Dr. Jacobs stated that the College recently celebrated Veteran's week. Instead of celebrating on one day, a series of events were held throughout the week. He attended an event and was interested to hear the Veterans perception of the College. The Veteran's Center will be opening soon – details are pending, but a Monday in March, is likely so legislators can attend.

Dr. Jacobs said to please let Ms. Kowal know if a Board member plans on attending any of these events:

December 7 is the State of the County Address by County Executive, Mark Hackel.

January 11 is the Economic Forecast.

January 16 is Martin Luther King Jr. Day – The College has activities during the day and there is a celebration dinner at Dakota High School.

Dr. Jacobs mentioned that the February Board meeting may be held at East Campus to include demonstrations of the recently purchased simulators. Details are pending.

Dr. Jacobs will be teaching a graduate level class, called Community Colleges, next semester at the University of Michigan, Monday evenings from 4 to 7 p.m. in Ann Arbor.

6.1 HLC Report

Dr. Sawyer stated he received the final HLC report on October 31. The formal action will still take place during the HLC's Institutional Action Council meeting on December 5 and 6. Overall the report is fantastic. There are four recommendations for continuous improvement, but they are all fair observations and things that will be worked on going forward.

Trustee Kelly applauded the staff for all of their effort. This was a huge undertaking, pretty remarkable, and everyone should be commended.

6.2 Board Election Results

Dr. Jacobs stated the unofficial results of the election show Kathie Lorenzo and Kristi Dean have won the election. In talking with Trustee Kelly, the new trustees have been invited to attend all of the Board's meetings starting now. They were also invited to attend the MCCA New Trustee Orientation and Institute. Ms. Lorenzo and Ms. Dean will attend the Orientation. Trustee Cusumano and Ms. Dean will attend the Institute.

Trustee Cusumano asked about the ~~Incapability~~ Incompatible Public Office Act and its effect on Kristi Dean, who is an adjunct faculty at the college. Dr. Jacobs stated that Ms. Dean has agreed that she will not teach at the College after this semester.

6.2A Calendar of Meetings

Trustee Viviano said he would like to make a motion to move the 2017 Board meetings from the third Tuesday of the month to the third Wednesday. The proposed schedule conflicts with his schedule. Trustee Cusumano asked if the meetings schedule is in the Board By-laws. Mr. Wendt confirmed they are, but previous Boards have accommodated members by changing the day of the meetings. He also said the change would require changing Board item 5.2 and all the dates contained therein – to the day after.

6.3 Macomb Community College Legal Services

Dr. Jacobs said during the Board's last executive session some Board members requested additional information about the legal services the College performs. Legal services, like other services of the College, are treated under certain budget assumptions which are important to keep in mind. The College uses many different external services for things like tree removal to wifi trouble-shooting. These services are handled through the regular purchasing process and the purchasing guidelines are followed. Sometimes the vendors used are sole source vendors. The determination for the selection of a sole source vendor is based on which offer is acceptable, which one offers quality service and is in the best interest of the institution.

With these vendors there is not a clear delineation of use for every month – they are used on an as needed basis. The College's external legal services are a sole source vendor. Most other community colleges have both internal and external counsel. Internal counsel handles the day to day issues and reviews all of the contracts. Macomb uses external counsel primarily for personnel matters to ensure some objectivity. The use of external counsel is to validate and take into account the institutional needs much better than internal.

The College does have a budget for external counsel in the amount of \$130,000. The expenses vary from year to year, but have not been more than the amount authorized to utilize. Trustee Cusumano asked if there is a reason why the Board does not vote on it. Dr. Jacobs said because it is a service and is something the Administration sees as a help with the function of the institution. Dr. Jacobs said none of these external services have exceeded the Board of Trustee limits – they are day to day activities. Trustee Cusumano said then when the Board votes on the budget they are basically approving that expenditure up to \$137,000-?

6.4 Naming Policy

Mr. Wendt said the Board adopted a naming policy and within that policy there are appropriate constraints that there must be a written agreement. The agreement is reviewed by Mr. Wendt and the Foundation. Part of the agreement requires that if the donor wants a naming opportunity they must provide at least 25% of the gift upfront with a written pledge to complete the gift within three years. The name will not be posted until the Foundation receives all of the money.

The Foundation has an agreement that has been proposed for around \$100,000. But it is an installment payment agreement. The Foundation is requesting that the Board consider naming opportunities that would involve an installment agreement, with a significant down payment like 20%, with a limit of five years for the payments to be complete. In exchange, the College would put the name up with the understanding, and the written agreement, that if they fall behind or don't make the payments the name will be removed.

Administration is discussing this with the Board to give advance notice that a policy revision will be on the agenda for a first reading at the December meeting. The area of philanthropy is expanding greatly at the Foundation; they are becoming more aggressive and sophisticated. Allowing this negotiating tool would open up additional opportunities to bring in much more money. The appropriate revisions will be made to the current policy for the Board's review and vote at the December meeting, as a first reading. There will be a second reading voted on at the January meeting before the policy can be changed.

Dr. Ulbrich said the issue is if a donor gives money to the Foundation to name something – the expectation is that they will get to name the area immediately, not that they have to wait five years to name it. This revision would allow the Foundation to negotiate with the donor a timeframe that the name can be erected with the understanding that if a payment is missed the name will be removed. Mr. Wendt stated that the Board still has the final approval with these naming opportunities.

Dr. Ulbrich stated the revised policy brought to the Board in May actually called on the Foundation to come up with a schedule of naming opportunities and that had not happened, so we brought you an update to it. She said this was a detail she overlooked during the previous revision – it is a language issue and if cleared up the Foundation can move forward.

Trustee Kelly said Dr. Ulbrich and Ms. Dawn Magretta are doing a tremendous job at the Foundation and all the protections that can be put in place, counsel reviewing and Board approving gives the flexibility needed to negotiate more substantial gifts.

Trustee Cusumano asked about having donors prepay, for example, from January 1 to January 1 of the next year. Dr. Ulbrich said that is something that can be put in the agreement; they would make one payment immediately. Mr. Wendt said if the donor was making annual payments the Foundation could negotiate with them on the dates the payments would be required.

Trustee Cusumano stated the only downside is the commercialization of the institution. Mr. Wendt said the policy already has protections against commercialization of the College.

7.0 EXECUTIVE SESSION

MOTION by Viviano, supported by Haase to move into executive session to discuss collective bargaining strategy.

ROLL CALL:

Ayes: Viviano, Haase, Cusumano, DiMaria, Kelly

Nays: None.

Absent: DeSantis, Lucido

RECESS

The meeting recessed at 7:09 p.m.

RECONVENE

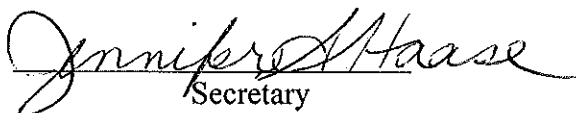
The meeting reconvened at 7:35 p.m.

8.0 ADJOURNMENT

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

The meeting adjourned at 7:35 p.m.

COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB
BOARD OF TRUSTEES


Secretary