

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 Wednesday, August 19, 2020 at 6:00 p.m., electronically through GoToMeeting due to the Covid-19 pandemic.

1.0 CALL TO ORDER

The meeting was called to order by Chairperson Lorenzo at 6:02 p.m.

2.0 ROLL CALL

Present: Katherine Lorenzo, Chairperson  
Frank Cusumano, Vice Chairperson  
Kristi Dean, Secretary – arrived at 6:10 p.m.  
Roseanne DiMaria, Treasurer  
Joan Flynn, Trustee  
Shelley Vitale, Trustee  
Vincent Viviano, Trustee

Absent: None

Also present: James Sawyer, President  
Sharon Kowal, Assistant to the President  
Jeffrey Steele, General Counsel

3.0 APPROVAL OF AGENDA

MOTION by Cusumano, supported by Viviano, to approve the agenda as presented.

ROLL CALL VOTE:

Ayes: Cusumano, Viviano, DiMaria, Flynn, Vitale, Lorenzo

Nays:

Absent: Dean

Motion carried.

4.0 APPROVAL OF MINUTES

4.1 Regular Meeting, July 15, 2020

MOTION by Viviano, supported by Flynn, to approve the minutes of the July 15, 2020 regular meeting, as read.

ROLL CALL VOTE:

Ayes: Viviano, Flynn, Cusumano, DiMaria, Vitale, Lorenzo

Nays:

Absent: Dean

Motion carried.

5.0 BOARD OF TRUSTEES REPORTS/PROPOSALS

5.1 Board of Trustees Reports (verbal)

None

5.2 Alterations to 2020 Calendar of Meetings

MOTION by DiMaria, supported by Flynn, that the Board of Trustees acknowledge the changes to the 2020 Calendar of Meetings; the cancellation of the August 19, 2020 information session; the change in the time and location of the August 19, 2020 regular meeting to 6:00 p.m. and held electronically.

ROLL CALL VOTE:

Ayes: DiMaria, Flynn, Cusumano, Vitale, Viviano, Lorenzo

Nays:

Absent: Dean

Motion carried.

6.0 PRESIDENT'S REPORT (verbal)

President Sawyer's Remarks:

Closed Session: Dr. Sawyer said in accordance with MCL 15.268, he will request a closed session for his annual evaluation. Trustees will remain in the meeting, everyone else will be dismissed during the closed session, and we will reopen the open public meeting after the conclusion of closed session.

Semester Start: Dr. Sawyer said classes started August 17. It is always an exciting time, but very different this year with nobody on campus. All classes will be online for the first three weeks of the semester. We decided a month ago to continue the online learning except for lab classes, hands-on classes and classes that require special equipment. We made that decision to try to maintain the health and safety of our students, faculty and staff. The virus continues to spread, and Macomb County is considered a hot spot. It also became apparent during registration that students are looking for assurances whether we are online or on ground.

Enrollment: Dr. Sawyer said that, as of this morning, enrollment is down 16 percent in credit hours compared to last year. We believe this decline is solely attributed to the Covid-19 pandemic and issues related to it. The article from *Inside Higher Ed* that Chairperson Lorenzo shared with the trustees discussed the impact of enrollment around the country and how community colleges are seeing large declines through this period. Enrollment reports from several of Michigan's community colleges, as of this morning, indicate enrollment declines ranging from 36.4 percent for Jackson, 27 percent at Mott, to 7 percent at Henry Ford College. The only college indicating an increase is Bay College, a small college located in Escanaba. In terms of enrollment decline, the College's 16 percent decrease places us somewhere in the upper middle of the group. It cuts both ways; some students want assurance the classes are online because they do not want to come to campus and then there are those students who do not like an online learning environment and are choosing to take the term off. From our perspective we are focusing on providing a safe and healthy learning environment for our students, faculty and staff. We want to try to articulate as clear a message as we can, so people know what to expect. If we lose some students because of that, it is okay, he does not want to mislead students into thinking it is going to be one way and we end up delivering something else.

Bookstore Issues: Dr. Sawyer said the bookstore is running behind on student orders. We knew this semester would be a challenge and we took proactive measures to avoid a backlog:

- Financial Aid was made available 30 days prior to the start of the semester - July 17
- Sent regular communications to students encouraging them to buy their materials early
- Made bookstore available through Canvas
- Provided college staff to supplement bookstore staffing

Dr. Sawyer said but despite those good actions, there is a huge backlog of orders. The primary problem is the lack of labor available to process the vast amount of orders being received. We have redeployed about 25 college staff from their regular job to assist in the bookstore. We are doing everything we can to get these orders out to students over the next several days.

Dr. Sawyer continued, we need longer term solutions, this can't happen again. We are looking for Follett to address their staffing issues. Those issues have been exacerbated with the pandemic, but that cannot be an excuse. We are going to transition to a single webpage because of some inconsistencies between our site and theirs. We are reviewing processes, trying to reduce some manual processes Follett has within their own system. We are going to engage a taskforce that will be seated with our administration, faculty and Follett leadership. After semester startup, the taskforce will look at the root cause of these issues and make sure we put remedies in place, so this does not happen again. Finally, Follett has a program that we will evaluate called Follett Access. Follett Access is a comprehensive program intended to get materials to students sooner. It is an option we want to investigate to see if it makes sense for our students. We are unhappy where we stand with the bookstore now, but we are working diligently to get students their materials.

Registration/Counseling and Advising Update: Dr. Sawyer said this is always a busy time of year for the counselors and advisors and it has been exacerbated with the Covid pandemic and, as timing would have it, the implementation of a new registration system, Student Planner. Please recall that we had to move to a new registration system when Ellucian stopped supporting WebAdvisor. At the start of the pandemic we had a backlog in our admissions area and it grew much bigger than we had intended. Staff did a good job of moving people through the admissions funnel, but unfortunately, we merely moved that large group of students to Counseling & Advising, where more time is required to give them the proper attention they need to select their courses and register. We struggled in that area all summer long trying to keep up, but we haven't kept up as much as we would have liked too. The staff is working diligently. They are working overtime and quickly adapting processes to be more student centered and help with the backlog of registrations. But as we look toward winter, this is unacceptable, considering we may still be in a virtual enrollment environment, we must come up with more long-term systemic solutions to avoid this problem from happening again.

Budget: Dr. Sawyer said we were warned state budget cuts may be coming, but it has in fact happened. The state has cut our 2020 budget, which ended in June. They are not going to make their August payment. This is an 11 percent cut to our fiscal year 2019-2020 budget. They have tried to address that by making some CARES Act funding they received, available to the college to offset the \$3.8 million not paid in August. The challenge is that CARES Act money comes with specific stipulations on its use and cannot be used to supplant general fund money.

The state is also indicating there will likely be budget cuts for fiscal year 2020-2021 as well. The exact amount is unknown, but you may recall, we included a 10 percent budget reduction in the initial budget presented to the board at the May 20, 2020 meeting. We are anticipating the state will make a 10 percent reduction, which is \$3.4 million. The state has another estimating conference in August. They are required to have their budget done by October 1, so it could be several months before we know how the college will be impacted.

Dr. Sawyer said considering all these things, we continue to look at our own budget and make reductions where we can. We start the planning process, in earnest, for budget revisions in September and will present it to the board in December. When the initial budget was presented in May, we talked about the fact that there were many unknowns, but at that time, we did not anticipate our enrollment to decline as much as it has. We are going to have to make other shifts to make sure we can present a balanced budget to the board in December. As he indicated in his last communication to them, we may make use of some contingency funds, but that is a last resort and every effort will be made to avoid that. Dr. Sawyer said as you recall, sadly, we have made a number of staffing decisions to help address the budget shortfall. Currently, we have over 300 of our colleagues on layoff. That is impacting our expenses and is helping us to contend with the budget situation, but it is something that we are not happy about because we do not like having our colleagues laid off and there is some impact on performance. Unfortunately, it was a necessary action. As we go through the year, we will keep the board apprised, but rest assured our target is to present the board with a balanced budget in December.

#### Questions:

- Trustee Vitale asked what percentage of the staff is laid off? Dr. Sawyer said over all the units, full and part-time, not including faculty, 38 percent, primarily part-time. There aren't any full-time faculty laid off, but there are several unfilled full-time positions. As we have shared in the past, the adjunct faculty is where there will be less people working, depending on how many sections are running.

- Trustee Flynn said the Governor mentioned free tuition for some of the workers that need it, is the college involved in that? Dr. Sawyer responded that we are. It is designed for individuals who do not have a college degree and worked in an essential worker job through the pandemic. The state is looking at providing federal financial aid for those students and any additional funds necessary, the state would support with CARES Act funding. Trustee Flynn said she is glad, it sounds like a wonderful program.
- Trustee Cusumano asked with enrollment credit hours down 16 percent what is the fiscal year impact for revenue projected from fall to winter term? How much revenue for fall? Dr. Sawyer said we are looking at about a \$4.5 million shortfall for the term. Trustee Cusumano said there is traditionally another decline in the winter semester. Dr. Sawyer said yes, there could be a similar shortfall in winter. Unless something drastic changes, he expects we will be challenged with enrollment in winter as well.
- Trustee Cusumano asked how many full-time faculty positions are being left vacant right now. Dr. Sawyer said we have 16 vacant positions, plus the three positions that the board approved for the dental program. He said it is likely we will go through most of the year without filling those positions. Trustee Cusumano asked if it is appropriate to consider having conferences with the collective bargaining unit representatives about possible future amendments to their contracts? We don't know what the future holds in this uncharted territory. Dr. Sawyer said we are focusing on this as an isolated event. No doubt there is a financial impact here that we have to address and we will find a way to do that. We believe this is all tied to the pandemic, which is to some extent isolated. We don't know how long this is going to last, but it is important that we continue to make progress for the students we do have. He views this differently than a long-term systemic decline, he sees this as an episode. It is an episode that has to be dealt with, but we want to deal with it on an episodic basis rather than a long-term basis.

Information Items: Dr. Sawyer stated that typically we do not have the amount of information items on the agenda for 10.1 and he wants to share the reasons for them. The first one, he mentioned at the July meeting is for the contract for additional marketing with SMZ. Two issues are related to facilities, one was an emergency compressor repair for UC 4, the Michigan State University Medical School building and the other is the renovation update provided to the board on a regular basis. Three items were funded with CARES Act money. These items are directly related to virtual instruction and it was essential those purchases were made immediately. We are reporting those to the board through information items and our purchasing policy. The last item is additional licenses for Content on Demand for math. We forecast the number of licenses we think we will need, however more students enrolled in math than anticipated and we have exceeded our limit. That expense is paid for by a course fee the students pay. Dr. Sawyer said there are representatives here who can answer any questions you may have. He does anticipate with the CARES Act funding and the deadlines around it, there is a good chance more urgent purchases will have to be made. Those will be reported to the board at the September meeting.

Questions:

- Trustee Cusumano asked if there is any requirement, and if there is a requirement, is it the administration's position that none of these expenditures, under CARES, require board approval or should we adjust the language to say that these purchases are approved, and we receive and file the report of the administration? Dr. Sawyer responded that he wouldn't say they would be subject to board approval, but we are using the provision in the purchasing policy that says if something needs to be bought on an urgent basis the VP for Business and the President may approve it and then report it to the board as an information item.

Audit Delayed: Dr. Sawyer said we received notification from our auditor, Rehmann, that they could not satisfy our typical audit deadline. Their specific concerns are that the US Office of Management and Budget (OMB) has not issued the compliance supplemental and the supplement addendum for the CARES Act funds and there are delays in the everchanging guidance of the CARES Act Higher Education Emergency Relief Funds (HEERF). Agenda Item 11.4 is recommending a one-time suspension of the bylaw to give Rehmann until the end of the year to complete the audit. That will give them the time to have these rules finalized by the Feds and then audit us accordingly. Without the rules in place they cannot offer an opinion. He said that VP Argiri has stayed connected to the auditors through this whole process because the impact this is having on them, difficulty auditing and difficulty determining what expenses are appropriate, is a challenge for colleges across the country.

Returning to Campus: Dr. Sawyer said there aren't any hard deadlines for returning to campus. We continue to be guided by the health and safety of our students, faculty and staff. After Labor Day, small groups of students will be on campus for labs and hands-on courses. Anyone coming on campus, regardless of the reason, must follow our safety protocol – completing the self-assessment checklist before coming to campus, going through the Covid training, reviewing the playbook and wearing the appropriate PPE. We are being very rigid about that and it is simply an expectation that we have.

Sinkhole at Center Campus: Dr. Sawyer said the sinkhole at center campus has been repaired and the road has reopened. That is good news. We are having a long-term study conducted to find out the root cause. The temporary fix is expected to last about 18 months, but it is in place and the road is usable.

Drive-In Concert: Dr. Sawyer said we hosted a drive-in concert on July 31. It was by all accounts successful. We appreciate First State Bank redeploying their sponsorship money to help offset the costs. This was a pilot event to see how it would go with the intent of offering additional concerts for the community. Dr. Sawyer said he has reassessed holding more concerts, because he had not anticipated a 16 percent loss in enrollment and the financial challenges that is presenting us. Even though it was a very successful event, due to the hard work of our staff, we decided not to move forward with the program. With each concert, we would lose somewhere between \$5,000 and \$10,000 due to the limited number of cars that can attend. It was a very nice one-time event. If circumstances change, we know we can do it. But with our financial situation it doesn't make sense to hold more concerts at this time.

CARES Act Funding: Dr. Sawyer said the college received \$4.8 million of CARES Act money specifically for students. Of that \$4.8 million, we have distributed \$4.1 million to over 3,000 students. Requests were processed through our Student Options for Success (SOS) office. We focused on our most needy students. We looked at Financial Aid students who had an Estimated Family Contribution of zero. There is roughly \$600,000 remaining and we are going to focus that on technology for the upcoming term. Of course, if a request comes in from a student for rent or food, we will address that. From a sharing perspective we are going to focus on technology for our students.

Dr. Sawyer stated that the County has CARES Act money available, as well. We have put in a request for those funds to help with technology. This is money going to the County, and the County has a certain set of rules it must follow. We would be a sub awardee. The County has not made a final decision on awards. The offer was extended, not only to Macomb Community College, but OU and WSU in the county, and K12.

Dr. Sawyer continued, we also have the \$3.8 million from the State that they have made available to us. The challenge is how that money can be used, there are very tight stipulations on it. Ms. Argiri has done a great job leading that effort. At this point she is collecting the different expenses and we will decide which of the CARES Act funding we want to deploy those to. As crazy as this sounds, things that might be acceptable for one expenditure may not be for the other, but that is how the rules are. We will stay on top of that and make the best use of the funds as possible.

Dr. Sawyer said the college also received \$4.8 million in CARES funding. That money is to help us with the actual costs we are experiencing. So far, we have put in for about \$900,000. We are holding off on the balance until we see the best way to charge these different expenses. Our goal is to maximize the use of the CARES Act funding.

#### Overview of Title IX Status by Jeff Steele, General Counsel and Jill Thomas-Little, VP, Student Services:

General Counsel Steele said the Department of Education released its new Title IX regulations in May. The Department was concerned that people accused of violating Title IX were not getting due process. The new regulations were designed to fix that and address the problem with detailed processes regarding how to file complaints, how to handle complaints, investigations, hearings, appeals, etc. We had to comply with those regulations by Friday, August 14, 2020. He is pleased to report that we drafted and implemented a policy that complies with the new regulations.

Mr. Steele said the policy and the process for implementing it is consistent with the method he described during his presentation at the June board meeting. Mr. Steele gave a high-level overview of the policy:

- The policy contains detailed notice provisions, so people charged with violating the policy have a very detailed notice of what they are accused of doing, who the witnesses are, and what the evidence is.
- There is a mandatory dismissal if the charges don't rise to the level of a Title IX violation.
- There is a detailed investigation procedure that involves evidence exchange, the opportunity for both parties to bring and contest evidence and discuss witnesses, and it ends with a written investigation report.
- There is also an evidentiary hearing with cross examination, advisors and concludes in a formal written opinion.
- There is an appeal process.

Mr. Steele said there is one final point, the regulations require that the investigators, the people doing the investigation, and the hearing officers are bias free and well-trained. The regs also require some sophisticated ability on the part of the investigators and hearing officers to make on the spot evidentiary decisions, craft opinions, etc. These are high demands that almost require a lawyer to handle. To meet these demands and to protect the college, we have retained a vendor, Grand River Solutions, to help us on an as needed basis. Mr. Steele emphasized that we would be using Grand River "on an as needed basis", for Title IX investigations and hearings. Grand River are experts who exclusively do this kind of work. The firm is filled with individuals who are trained in law and practiced law. Many of the Grand River personnel left the private practice of law to take high level equity- and Title IX-type positions at major universities, and then joined Grand River to provide Title IX-relates services for colleges and universities across the country. We believe that using a vendor will save us money because we won't need to hire staff to serve as investigators or hearing officers, which we may have needed to do if we didn't retain a vendor. We also won't need to spend as much time or money on training because Grand River will train their personnel. There are some rigorous training requirements set forth in these regulations. Finally, we believe we have a very good rate from Grand River because we chose them through an RFP process that was done in collaboration with several other area community colleges, many of whom are also choosing to use Grand River.

VP Thomas-Little introduced herself. She is the Title IX coordinator and pursuant to the regulations she needs to make sure everyone knows who she is, how to contact her, how to access information about our policy and how to make a report. All that information is located on the college's website at [Macomb.edu/Title IX](http://Macomb.edu/Title IX).

Questions:

- Trustee Dean said this is like IT not having the staff to do SQL, do we not have the staff to do Title IX? Mr. Steele said, we do have a Title IX coordinator, which is Ms. Thomas-Little. There are individuals at the college who have been trained to do investigations. But with the new Title IX rules, the hearing and investigation requirements are very complex and filled with procedures and rules that must be followed. We could train existing staff to do these things, but whether they would be able to do their current jobs as well is a question. In fact, one of the main services that trains colleges and universities in Title IX compliance suggested that colleges and universities might need to hire two or three individuals to handle the Title IX rules, investigations and hearings. He would add that in the 2,000 pages of explanation for these regulations, the DOE made it clear that they thought going to a third party for investigation and hearings was acceptable and might be a good idea.
- Trustee Dean asked would hiring two or three people offset the cost of one agency for Title IX. Is the cost equal? Mr. Steele said we don't have a very high volume of Title IX cases. We get one to three cases a year that would need go through this elaborate new process. With the rarity of cases at Macomb going through this process, it doesn't justify the expense of hiring full-time staff to handle it. Obviously, this is experience-based. If we have the experience where we have such a high volume that we think it would be prudent to hire people to handle the cases that come in, we would talk about it and maybe even recommend doing so. But remember, we are using Grand River on an as needed basis. It is not a flat rate, it is an hourly fee we pay as they do the work. We don't think there is a huge investment here. Frankly the amount of money we are looking at spending with Grand River is likely to be less, and maybe even much less, than what we would have to spend for one to three new employees.
- Trustee Cusumano asked Mr. Steele what is Grand River's hourly rate? Mr. Steele responded that it varies a bit based on the work done, but generally it is \$200 per hour. He would like to point out that they are not charging for travel fees, only for the work they are doing. This rate was much less than several of the other vendors that quoted.
- Trustee Cusumano asked if they have a local presence in southeastern Michigan? Mr. Steele said no, they are looking to do that based on the number of local community colleges that have chosen to use them, but they do not currently have a presence here. He reiterates that they are not charging us for travel time, if they have to sit on an airplane for x number of hours, we are not being billed for that. That is cost neutral to us. We have spoken with several of the universities who are their clients and they were very pleased with their responsiveness and how quickly they can get to campus to do the work. It is an out of state firm.
- Trustee Cusumano said there are two to three Title IX complaints per year. Mr. Steele said we may get four or five Title IX complaints per year, but only one to three of them rise to the level that needs to go through this process. Trustee Cusumano said they are going to be required to be unbiased and well-trained pursuant to any requirements under the regulations, will they contractually agree to that? Mr. Steele said yes, he will also add that there are provisions built in this policy to allow an individual to challenge bias, if for whatever reason, somebody said the investigator or hearing officer is bias toward them, the individual would have the ability to make that change. One of the reasons for going to an outside vendor is to defray or to disabuse the idea of bias because we are hiring a third party who can look at this with fresh perspective, doesn't have any connections with the college, the area or an individual in the area, they are true neutrals.



Trustee Cusumano asked if the Title IX coordinator will be integral in every one of these investigations, he/she is not going to be sidelined by Grand River? Mr. Steele said no, the Title IX coordinator has very important roles that are required by the regulations and set forth in this policy. The Title IX coordinator, with respect to a complaint, makes the decision whether a case can proceed or must be dismissed. The Title IX coordinator is the one who calls Grand River to do the investigation, or to choose someone else to do the investigation. The coordinator has many duties with respect to looking internally at the college to make sure we are in compliance. There is also a situation when a person files a report or a complaint alleging they have been a victim or that someone has been a victim, the Title IX coordinator has the duty and responsibility to impose what they call "supportive measures". Those are interim fixes to help the individual along with his or her life at the college so they don't experience more bias and can continue on unaffected, as best we can make it, after a violation has occurred. The Title IX coordinator is the person responsible for figuring out what those are and imposing them or creating them. The Title IX coordinator also meets with the complainant and in some cases the respondent, much like an intake examination. Once a decision is made at the hearing for responsibility, the Title IX coordinator takes the lead with respect to what, if any, sanctions are issued. The role of the Title IX coordinator remains very intricate here at the college.

## 7.0 FINANCIAL REPORTS

### 7.1 Financial Statements – July 31, 2020

MOTION by Viviano, supported by Flynn, to receive and file the financial statements for the one month ended July 31, 2020.

ROLL CALL VOTE:

Ayes: Viviano, Flynn, Cusumano, Dean, DiMaria, Vitale, Lorenzo

Nays:

Absent:

Motion carried.

### 7.2 Investment Report – July 31, 2020

MOTION by DiMaria, supported by Flynn, to receive and file the investment report of securities held as of July 31, 2020.

ROLL CALL VOTE:

Ayes: DiMaria, Flynn, Dean, Vitale, Viviano, Lorenzo

Nays: Cusumano

Absent:

Motion carried.

## 8.0 AUDIENCE PARTICIPATION (verbal)

None.

9.0 PERSONNEL REPORTS

9.1 Tasha L. Scott, Faculty, Instructor of Nursing, Maternal Child Health

MOTION by Cusumano, supported by DiMaria, to approve the appointment of Tasha L. Scott to Faculty, Instructor of Nursing, Maternal Child Health.

ROLL CALL VOTE:

Ayes: Cusumano, DiMaria, Dean, Flynn, Vitale, Viviano, Lorenzo

Nays:

Absent:

Motion carried.

9.2 William Simonson, Administrative, Executive Director of Facilities and Plant Operations

MOTION by Viviano, supported by Flynn, to approve the appointment of William Simonson, Administrative, Executive Director of Facilities and Plant Operations.

ROLL CALL VOTE:

Ayes: Viviano, Flynn, Cusumano, Dean, DiMaria, Vitale, Lorenzo

Nays:

Absent:

Motion carried.

9.3 Mutual Consent Leave, Fall Semester 2020

MOTION by Cusumano, supported by Flynn to grant the mutual consent leave during the Fall 2020 academic year to Gary Flemming.

ROLL CALL VOTE:

Ayes: Cusumano, Flynn, Dean, DiMaria, Vitale, Viviano, Lorenzo

Nays:

Absent:

Motion carried.

10.0 REPORTS OF ADMINISTRATION – INFORMATION ITEMS

- 10.1 Update on Media Buying and Placement Services
- 10.2 IT Purchases – CARES Act Funding
- 10.3 Update to Existing Content On Demand Agreement for Licenses Algebra Material
- 10.4 Facilities Maintenance Report
- 10.5 Physics Department Student Lab Kits – CARES Act Funding
- 10.6 2020 Renovation Program Update
- 10.7 Nursing Virtual Simulation Resources – CARES Act Funding

POINT OF ORDER: Trustee Cusumano asked that the Chair make a motion for items 10.1 through 10.7 for a single vote.

MOTION by Viviano, supported by Cusumano, to receive and file the information reports.

ROLL CALL VOTE:

Ayes: Viviano, Cusumano, Dean, DiMaria, Flynn, Vitale, Lorenzo

Nays:

Absent:

Motion carried.

11.0 REPORTS OF ADMINISTRATION – ACTION ITEMS

11.1 Donations – July 31, 2020

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

ROLL CALL VOTE:

Ayes: DiMaria, Viviano, Dean, Flynn, Vitale, Lorenzo

Nays: Cusumano

Absent:

Motion carried.

11.2 Change Orders (none)

11.3 Authorization for Purchases

11.3A Hewlett-Packard Server, Desktop and Laptop Computers

MOTION by DiMaria, supported by Cusumano, that the Board of Trustees authorize the Administration to purchase server, desktop and laptop computers from Hewlett-Packard Co. of Conway, Arkansas, or its authorized distributors, for a period of three years utilizing best available public, government and higher education discount structures as replacement or new purchases are needed.

### 11.3 Authorization for Purchases - Continued

#### 11.3A Hewlett-Packard Server, Desktop and Laptop Computers - Continued

DISCUSSION: Trustee Dean said there won't be anyone returning to campus any time soon, how many desktops are being purchased? Mr. Mike Zimmerman, CIO, responded not very many. We do not anticipate replacing any desktop computers until staff return to campus. Trustee Dean asked for the ones being replaced, are these for faculty members? Can't they do something with a laptop versus a desktop, what is the difference? Mr. Zimmerman said there are several instances where desktops are used. We have many labs around campus for academic purposes. These labs are equipped with desktops, because laptops are easy to steal, and desktop computers are much less expensive. There are adjunct faculty labs with desktop computers for adjuncts to use when they need to be on campus to work. The libraries have desktop computers everywhere because they are much less expensive to put in those places than it is laptops. Trustee Dean asked if there is going to be any different choice of software being loaded on a desktop versus a laptop. Mr. Zimmerman responded yes, depending on the purposes that we deploy this equipment, the software loads can be unique. Generally speaking, they are all Windows machines.

#### ROLL CALL VOTE:

Ayes: DiMaria, Cusumano, Dean, Flynn, Vitale, Viviano, Lorenzo

Nays:

Absent:

Motion carried.

### 11.4 Audit Timing and Temporary Suspension of Bylaw

MOTION by DiMaria, supported by Flynn, that the Board of Trustees temporarily suspend bylaw 1.13-1 specific to audit timelines and allow for the College financial and single audits to be completed and presented by the end of the calendar year.

#### ROLL CALL VOTE:

Ayes: DiMaria, Flynn, Cusumano, Dean, Vitale, Viviano, Lorenzo

Nays:

Absent:

Motion carried.

12.0 POLICY ACTIONS

12.1 New Investment Policy (Second Reading)

MOTION by Cusumano, supported by DiMaria, that the Board of Trustees adopt as a second reading, the attached proposed Investment Policy.

ROLL CALL VOTE:

Ayes: Cusumano, DiMaria, Viviano, Dean, Flynn, Vitale, Lorenzo

Nays:

Absent:

Motion carried.

12.2 Revise Residency Policy using Bylaw 1.3-4

MOTION by Flynn, supported by DiMaria, that the Board of Trustees adopt the revised Residency Policy as presented and, pursuant to Bylaw 1.3-4, do so at this, the meeting where the policy change is first presented.

DISCUSSION: Trustee Cusumano asked if this policy action affects any promises or commitments to student athletes? Dr. Sawyer said no, from the perspective if it does, we will hold the athletes harmless.

ROLL CALL VOTE:

Ayes: Flynn, DiMaria, Cusumano, Dean, Vitale, Viviano, Lorenzo

Nays:

Absent:

Motion carried.

MOTION by Cusumano, supported by Flynn to amend the agenda to include the performance review of the president of the college as Item 12.3 in closed session.

ROLL CALL VOTE:

Ayes: Cusumano, Flynn, Viviano, Dean, DiMaria, Vitale, Lorenzo

Nays:

Absent:

Motion carried.

12.3 Closed Session

MOTION by Cusumano, supported by Flynn, to go into closed session, pursuant to the employee’s request under MCL 15.228, Section 8, paragraph (a), to consider the performance review of an employee, Dr. James Sawyer.

ROLL CALL VOTE:

Ayes: Cusumano, Flynn, Dean, DiMaria, Vitale, Viviano, Lorenzo

Nays:

Absent:

Motion carried.

RECESS

The meeting recessed at 7:28 p.m.

RECONVENE OPEN SESSION

The open meeting reconvened at 8:20 p.m.

Discussion was held concerning whether to vote on President Sawyer’s new contract. General Counsel Jeff Steele was asked to describe the proposed changes to President Sawyer’s Contract. Mr. Steele stated that in addition to the change in salary, the new contract would add a clause to indemnify the President for actions taken in the course and scope of his duties. Mr. Steele added that the clause does not indemnify President Sawyer for any criminal misconduct. A vote was then taken on the new proposed contract for President Sawyer

MOTION by Viviano, supported by Cusumano to extend the Employment Contract Agreement with President Sawyer until June 30, 2023.

ROLL CALL VOTE:

Ayes: Viviano, Cusumano, Dean, Flynn, DiMaria, Vitale, Lorenzo

Nays:

Absent:

Motion carried.

13.0 ADJOURNMENT

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

The meeting adjourned at 8:25 p.m.

COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB BOARD OF TRUSTEES

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Secretary