

APPROVED MINUTES OF 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 Wednesday, June 16, 2021 at 6:00 p.m., in Assembly Hall, University Center, Professional Development Center, Center Campus, 44575 Garfield Road, Clinton Township, Michigan.

1.0 [CALL TO ORDER](#)

The meeting was called to order by Chairperson Lorenzo at 6:04 p.m.

2.0 [ROLL CALL](#)

Present:

Katherine Lorenzo, Chairperson
Frank Cusumano, Vice Chairperson
Kristi Dean, Secretary
Roseanne DiMaria, Treasurer
Joan Flynn, Trustee
Shelley Vitale, Trustee

Absent:

Vincent Viviano, Trustee

Also present:

James Sawyer, President
Elizabeth Argiri, Vice President, Business
Kevin Chandler, Vice President, College Advancement & Community Relations
Sharon Kowal, Assistant to the President
James Matheney, Chief of Police
Kathleen Poindexter, Director of Finance & Investments
Donald Ritzenheim, Provost/Vice President, Learning Unit
Jeffrey Steele, General Counsel, Office of General Counsel
Jill Thomas-Little, Vice President, Student Services
Carey Wellhausen, Director of Auxiliary Operations
Denise Williams, Vice President, Human Resources

3.0 [Approval of Agenda](#)

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

ALL IN FAVOR:

AYES: DiMaria, Flynn, Cusumano, Dean, Vitale, Lorenzo

NAYS:

ABSENT: Viviano

MOTION CARRIED.

4.0 [Audience Participation](#)

None.

5.0 [Review of Agenda Items and Materials](#)

Trustee Flynn thanked everyone for their birthday wishes.

Trustee Cusumano asked what the \$531,918 contract on agenda item 11.3A HVAC Inspection and Service Maintenance Contract cover? Is it only for inspections or are parts included? Mr. Bill Simonson, Executive Director of Facilities and Operations, said the service agreement is primarily for the air conditioning side of the HVAC system and includes all the parts and preventative maintenance per the manufacturers recommendations.

Trustee Cusumano said the rationale in the write-up indicates there were problems with the previous vendor. How long did that go on and does the new contract have an escape clause or are we obligated to use the vendor and pay them the prescribed fee with dissatisfaction of the service and goods provided? Mr. Simonson said the poor service was accumulative over 18 months, taking in to account the winter period where that type of work is minimal. Our biggest concern was they did not staff the job properly. It takes eight to nine people to start up center campus in the spring and they would send us one. Last year it took the entire summer to get the campus started up. Over the winter we decided we could not let that happen again. The company is in Flint and their response time to get here would be a half day. The new contractor is in Clinton Township adjacent to center campus. An escape clause will be written in the contract with a thirty day "for cause" notice. The previous contract did not contain a "for cause" notice. Trustee Cusumano asked if the new firm is sufficiently staffed, in your opinion, to provide the service the college needs? Mr. Simonson replied yes, during the interview process they had a very clear plan for the number of people that they needed and how they were going to supplement that in the spring with their construction division.

General Counsel Steele added that while every contract is different, he tries to look for, not only a clause that will allow us to get out of it if there is a material breach, but usually there is some type of service mechanism where either there is a warranty and a mechanism for dealing with the failure to comply with what they warrant or some sort of mechanism for airing our grievances and getting them resolved. He would say particularly in technology contracts we have opined requirements and if they don't satisfy their obligation to us, we can get out of the contract.

6.0 [Issues and Updates](#)

6.1 [President's Report](#)

J. Sawyer said there is no need for a closed session.

July Board Meeting - J. Sawyer said we do not have any urgent items coming up for July and are recommending on agenda item 5.4 to cancel the July 21, 2021 board meetings.

Return to Campus - J. Sawyer said over the past several weeks we have been in the process of returning staff to campus. We are using a phased-in approach depending on the ability to follow the protocols and what the needs are on campus. Our intent is to have the student-facing functions available on campus by July 19. We will continue to offer virtual services but will have on-ground in-person services available as well. We are waiting for July 1 when the public rules

expire regarding the Covid precautions. Although he did hear that those rules may be rescinded before July 1. Unfortunately, we are required to follow MIOSHA rules and their rules are different from the ones that exist for the public. Having different rules for different factions on campus complicates things. We are hopeful the rules will align sooner than mid-October when the MIOSHA rules expire.

Tentative Agreements with MCAAP and AAFMCC – Dr. Sawyer was pleased to announce that we have two contract extensions before the board tonight. He thanked the MCAAP and AAFMCC negotiating teams. He thanked Ms. Denise Williams, VP of HR, on the administration side and her team as well. We thought the most prudent action to take this year with all the uncertainty that surrounds us was to offer a one-year extension and that is what has been agreed upon with both the administrators and adjunct faculty.

Enrollment Update – Dr. Sawyer said spring credit hours are up 15 percent and headcount is up 14 percent compared to last year. We are also looking at enrollment from 2019, given what an unusual year 2020 was, and he is pleased to share that credit hours are up seven percent over 2019 and headcount is down six percent.

Futures for Frontliners and MI Reconnect – Dr. Sawyer reported that 795 Futures for Frontliners students and 530 MI Reconnect students have registered for the spring/summer 2021 term. There was a nice article on the front page of *The Macomb Daily* on May 30 about MI Reconnect that covered one of our students.

Futures for Frontliners (F4F) and MI Reconnect Budget – Dr. Sawyer said the budget at the state level is still not resolved, causing concern about the funding for F4F and MI Reconnect. There was legislation being proposed last week that would push back the June 30 due date to September 30. The drop-dead date is October 1, the start of the state's budget year. This is something we are paying close attention to because we have over 3,000 students who are somewhere in the process for MI Reconnect and F4F and would be adversely affected. We will continue to talk to our legislators and encourage their support. MCCA and our colleague colleges will do the same.

Secretary of Education Miguel Cardona Visit - Dr. Sawyer said on June 7 we were honored to host the U.S. Secretary of Education Miguel Cardona. He was joined by Congressman Andy Levin. Dr. Sawyer thanked trustees Joan Flynn and Shelley Vitale for attending the meet and greet session. Other community dignitaries met with the Secretary as well. Patrick Rouse and Sam Ricevuto gave a great tour of the M-Tec. The Secretary was very impressed with our facility and we concluded with a round table discussion with a few members of Macomb's leadership team and, more importantly, three of our students. The students were great representatives of community college students. One was a gentleman who went through our workforce training program and was functioning as a control engineer at a local company. Another student was a mother of seven children who had experienced some of her own health concerns and now that she is better, wants to go into a career where she can help promote healthy living. She is a MI Reconnect student. The third student was a veteran. They were able to share their personal journeys with the Secretary and based on conversations he had with him afterwards he was very impressed with our students and the college overall. We were very appreciative he came to Macomb.

HLC Review Process - Dr. Sawyer said over the last two months Dr. Ritzenhein, Provost and Ms. Jillian Huot, Director of Accreditation, have shared with the board the process for the HLC review. On Monday, June 14, we locked down that process. The HLC Review Team is going through our assurance argument (documentation) and we will know by June 21 whether they need additional information. We are hoping we have their report for the board at the August meeting.

Federal Funds (HEERF II & III) Update – Dr. Sawyer announced that on June 3 we distributed \$4.7 million of emergency assistance grants to 17,000 students. The grant amounts ranged from \$125 to \$500 depending on whether a student was part-time or full-time and what their financial need was. On June 17 we are preparing to distribute \$3.2 million to almost 19,000 students. Our basis for the second distribution is to refund students for their online course fees. As we have gone through the pandemic, students had no choice but to take online courses which resulted in them paying a \$56 course fee. Since they had no other option, we are going to reimburse that fee to them. We continue to look for opportunities to support our students with HEERF funding.

New Lead Audit Partner at Rehmann – Dr. Sawyer said our lead auditor at Rehmann, Jennie Lambert, has resigned and accepted a position at Bowling Green State University. She has done a great job for us and we are sorry to see her go, but certainly wish her the best. We are fortunate that the person replacing Ms. Lambert, Michelle Fowler, was involved with the original transition in 2016. She is familiar with the college and is Rehmann’s lead person for higher education. We don’t expect any issues during the transition.

2021-2022 MCCA Representative – Dr. Sawyer said agenda item 5.3 is for the appointment of our primary delegate and alternate for the MCCA. This is the board’s decision, but he wanted to share his thoughts on this. To him, what tends to make the most sense is for the chair and vice chair fill these roles. In this case Chairperson Lorenzo has been serving as our primary delegate, which makes sense in our statewide organization. In addition, she is currently serving as the treasurer of the MCCA Executive Committee which further adds rationale for her being the best selection in his opinion. Also, our vice chair, Trustee Cusumano, is currently serving as our alternate and provided he is available to continue to do that, it makes sense to continue to appoint the chair and vice chair.

2021 MCCA Summer Conference – Dr. Sawyer stated that the MCCA Summer Conference will be virtual this year on July 20, 21 and 22. The sessions will run from 9 a.m. to 12:15 p.m. The cost has yet to be determined and we’ll let you know when it has been set. If you are interested in attending let Ms. Kowal know and she will register you.

Page to Stage Program – Dr. Sawyer said while there have been a lot of problems associated with the pandemic, there have been some positive things that have occurred as well. One of those positives is our Page to Stage program. We have run this program for a number of years and essentially it is children’s literature brought to life with live performances. The program is geared toward pre-K through middle school children. Typically, we have between 6,000 and 7,000 students in the community who attend. We were on target, pre-Covid, to have 9,000 students participate, but obviously the pandemic prohibited any in-person performances. Our staff did a great job of pivoting and switching to virtual programing and as a result we were able to touch

31,000 students. We reached students beyond Macomb, Oakland and Wayne County. We touched students in Washtenaw, Sanilac and Genesee counties as well. As we look to the future, we are planning a combination of virtual and in-person performances to further extend the reach of that program. Congratulations to the staff members who worked on this successful transition.

August Board Meeting Agenda – Dr. Sawyer gave a preview of some items that will be on the August board meeting agendas:

- Overview of the third phase of the multi-year renovation plan.
- Bids for the A/V upgrade project for the Lorenzo Cultural Center and the Macomb Center for the Performing Arts.
- An extension to Barton Malow’s contract for the phase three and RST renovations.
- Potentially a recommendation for the Diversity Equity Inclusion consultant. We just received nine responses to the RFP. Ms. Thomas-Little has done a very cursory review of them and prices range from \$32,000 to \$127,000. We will have a team assess the responses and make a recommendation. Depending on their selection it will come to the board for approval.
- Closed session will be called for Dr. Sawyer to present his annual review to the board. As he has in the past, he will share some major accomplishments in the institution, point out some challenges and look forward to our goals for the next academic year. In September, he expects to return to the board for an extension on his contract.

Bowles Lawsuit - Dr. Sawyer provided an update on the former faculty member in the Public Service Institute suing the college. On May 7 we learned that the court granted the college’s motion to dismiss that claim. On May 11 the person filed a reconsideration motion and that motion was denied on May 25. He recognized Jeff Steele and Paul Coughenour, from Clark-Hill, for their good work on this lawsuit. He asked General Counsel, Jeff Steele, to give the board a brief overview of the case. Mr. Steele said several claims were filed against the college and one employee of the college in federal court. The federal judge granted our motion to dismiss those claims, and dismissed all the federal claims with prejudice, which means they can’t be refiled, they can only be appealed to the 6th circuit and that has not happened yet. The state claims that were filed against the College and the College employee were dismissed without prejudice, so they can potentially be filed in state court. That hasn’t happened yet, either, but continues to be a possibility. Several other parties remain in the federal suit the College was dismissed from, including Macomb County, the Macomb County Sheriff’s Department, some state employees and agencies. The college is no longer a part of the case and the hope is that it will stay that way.

Detroit Zoo – Great Lakes Nature Center – Dr. Sawyer introduced the board to a unique opportunity that would be beneficial to the college and the community. In February 2018 when the Detroit Zoological Society announced plans for a Great Lakes Nature Center, their intent was to have the facility located waterside at St. Clair Metro Park. For a variety of reasons, that did not work out. For the past three years the Zoological Society has been looking for another location on the water in Macomb County, but have found available property to be very limited. There was a potential opportunity to locate it on the Public Works property on the northwest corner of Garfield and Hall Roads. That land was available for many years without any offers, but shortly after Public Works Commissioner Candace Miller brought up that suggestion, she received an

offer for it. That offer is still pending. Throughout this time, he has been thinking about the college having a supportive role. This is a tremendous potential asset for the community. The zoo's vision is for a very nice, architecturally significant 20,000 sq. ft. building. Based on their research they anticipate about 200,000 visitors per year. The college has a fair amount of land at center campus that is not being utilized. He has had preliminary discussions with Ron Kagan, the Zoo's CEO, about the college participating with the zoo on this, but before going any further he wanted to discuss it with the board and seek the support needed to move ahead.

Dr. Sawyer said the vision is to retain ownership of the land and lease it to the zoo at no cost. The zoo would build the facility, pay all the construction, operational and maintenance costs associated with it. We may support them with snow removal and grass cutting. The lease could be for 30 years. At the end of the lease term we still have ownership of the property and the building would be the college's as well. Or we could choose to extend the lease if the nature center is as popular as we expect it to be. The property is a 6-acre parcel located on Hall Road between Colony Drive and Dalcoma Drive. This is the type of endeavor that fits well with the college's mission about education and entertainment. The zoo's intent is to have permanent and rotating exhibits at the nature center. They see a very strong education presence. Our faculty and zoo personnel have had discussions about joint programming opportunities. Regardless of the location, the college will still provide learning experiences for our students and the community but with it on our property that would make it much more conducive. It is also an ideal location to have joint programming with the Lorenzo Cultural Center and the Center for the Performing Arts. There are opportunities to connect the center with our 50-acre nature center located at center campus.

The only disadvantage is the land would be tied up for a length of time but again we have no intention to use it or sell it. We are fortunate to be in a sound financial situation where that isn't necessary, and we do not see that occurring in the foreseeable future. The zoo intends to build a nice facility, but if for some reason we are left with it, we will have to determine at that time if it is an asset or liability. He's open to answer any questions and request your support to investigate this opportunity further. If an arrangement should come from these discussions, we would come to the board for approval.

Questions:

Trustee Flynn asked why couldn't we offer the center campus nature center? Dr. Sawyer said that nature center is outdoors, and this facility is akin to a museum with indoor space for permanent and rotating exhibits with the intended focus on the Great Lakes. There will be environmental items too. The zoo is very active in animal welfare, but also sustainability and conservation. Certainly, the sustainability and conservation issues fit well with Macomb County, particularly the water quality. Based on the conversations we have had with our faculty, there are great opportunities for joint programming. Trustee Flynn said it sounds wonderful. It would be a good place to have meeting rooms available for people to use. She asked if it is going to be a showplace? Dr. Sawyer said yes, the intent is for this to be a showplace. Events could be held

there and we could host classes for K-12 students, college students and the general public. Trustee Flynn said it sounds great, go for it.

Trustee Cusumano asked if what Dr. Sawyer just disclosed would be perceived to be proposals that the college would be putting forth? Dr. Sawyer said correct. Trustee Cusumano asked how would this move forward; would they make a proposal first or do you meet with them and share ideas? Dr. Sawyer said it would be more of the latter. Just for him to be able to talk to the board intelligently he has already had some general discussions with Mr. Kagan to find out what they have in mind. He wanted to confirm that they were going to cover the costs of the facility. He sees this being a joint discussion and reaching an agreement that is amicable on both sides.

Trustee Cusumano said it would be in the interest of the college to make sure the design of the building would be transferable to the college for another purpose such as a museum, but until he sees a proposal, he can't make an informed decision. Dr. Sawyer said that is a fair concern, we would want to share that perspective and how important it is. To be clear we are not paying for the design of building, but we could certainly try to have some influence on that. He has not had that level of discussion with the zoo, but the risk would be if the building was so unique it was something the college couldn't use, and we had to knock it down that would be an expense. But again, they are planning on a nice building that hopefully would be something we could utilize.

Trustee Cusumano said for now you are asking for permission to negotiate something to bring back to the board. Dr. Sawyer said right, but he also wants to know if anybody is against this or if they see any major issues. If he can come back with something akin to what he has described would the board find that acceptable? Trustee Cusumano said as far as he can see there is no down side because the property is not being utilized. He has no objection and would encourage Dr. Sawyer to pursue a negotiated agreement with the zoological society.

Trustee Vitale asked if the facility would be accessible directly from Hall Road or will visitors have to cut through the campus? Dr. Sawyer said he does not know, they have not had that level of discussion yet. Trustee Vitale asked if it would be visible from Hall Road? Dr. Sawyer said yes it would. Trustee Vitale said her only concern is that a stipulation be built in for a commitment into the future they keep the facility up to date. Usually the onset is nice, but an ongoing commitment from them is important so things don't fall into disrepair. Dr. Sawyer said the vision of the director, at this time, is a long-term successful location. We may want to protect ourselves in case something goes awry but clearly his intent is to keep this facility very nice and for it to be a destination not only for Macomb County residents but for people all over the state of Michigan and beyond. Trustee Vitale asked if the facility would only be interior, would anything extensive be on the exterior? Dr. Sawyer said he wouldn't rule that out because they may include a learning laboratory outside, he saw that on some of the early renderings. Trustee Vitale said that would be a positive.

Trustee Dean asked about the wildlife currently living on the property. Dr. Sawyer said the zoo is fanatical about animal protection and their welfare, they will be very conscious of not doing anything disruptive to the wildlife.

Dr. Sawyer thanked the board, he takes their responses to be positive and he will move forward in conversations with the zoo. He will make a time to have the zoo representatives present to the board and give you an opportunity to meet them and hear their vision.

Food Service Presentation - Dr. Sawyer said the last item for this meeting is a presentation on the food service contracts. There are three different food service contracts up for board approval. He previously shared with the board that this has been a very intense process and he appreciates the hard work of the selection committee. He thanked Vice President Argiri and her team.

6.2 Food Service Presentation

The Food Service presentation given by Vice President of Business, L. Argiri, Kathi Poindexter, Director of Finance and Investments and Carey Wellhausen, Director of Auxiliary Operations. The consultant, Tom Tucker, from The Pulse Group was unable to attend due to technology issues, also in attendance were representatives from Continental.

Questions:

Trustee Flynn asked about the commission? Ms. Argiri said the commission the college earns from our partner is based on the sales generated. Trustee Flynn asked what forms of payment are accepted on the vending machines? Ms. Argiri said the vending machines accept multiple methods of payment, including cash and credit cards and (confirmed by the Continental representative in the audience) apps available on cell phones.

Trustee Vitale asked for additional explanation on the statement in the write-up, "as stated in the vision we continue to be committed to operating a break even, no subsidy, food service operation on campus." Ms. Argiri said our goal has always been to cover our costs for the operation in order to ensure that prices continue to be affordable for our students. Other programs may escalate prices, charge students higher in order to make a profit. Until we can move to a completely commission-based program the goal has always been to break even. The revenue that we generate covers the cost. We presented the different contracts separately and you have to look at them combined, meaning the pro forma results for Continental in the first year, that subsidy would be offset by the commissions earned and the revenue generated on the vending contracts.

Trustee Cusumano asked what mechanisms is the college going to enact with a person of contact within the college so that we are not being data fed by the vendor whether or not there is failure of the machine. The benefit of it is it is not labor intensive, but the downside is responsiveness, is there any provision of having data or statistics kept on complaints from students, for example, or where they get reports automatically from some of these machines, what would you do to address those concerns of failure of the mechanization? Ms. Argiri responded that there is a very robust reporting system behind these markets. The college will be monitoring that very closely. Ms. Argiri asked Gloria Korpus from Continental to speak to some of the technology they utilize in the micro market to provide alerts and inform the company of service that may be needed on a market. Ms. Gloria Korpus, Director of New Business Development at Continental, said she carries this piece of information (shows info sheet) for this exact purpose. Continental places contact information with unique asset numbers on each of the individual machines within our micro markets. In addition to that we place a piece of contact information where

you can connect with us, either via QR code, calling our 24-hour service line or sending us an email, if you have any issues, questions or even compliments about something you would like to see in this space. We make it very easy for our customers to connect directly with us instead of going through a third party to get the answers or the solution they need. In addition to that we dispatch technicians in the instance one of our machines goes down. Our average response rate is two to four hours' time. When something goes down, we make it very easy for you to contact us and provide an opportunity to resolve that as quickly as possible. We have a team of guest experience personnel who keep track of questions, comments, complaints, etc. so we do have a database in case you have any questions when customers are reaching out and how quickly we are responding. We take ownership of the machines, the maintenance of the machines and any repair that needs to be made to those machines and we make it very easy for any of our customers to contact us directly, so there is no wait time with a middle man who may need to reach out to Continental directly, we let our customers do that. It is very easy and convenient to do so.

Trustee Cusumano thanked the selection committee on a job well done. The presentations have steadily been increasing in quality and content in his years in service of this institution and he appreciates the work that they did. He will be voting in favor of the contract.

7.0 [Closed Session](#)

It was determined that a closed session was not needed.

8.0 [Adjournment](#)

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

Motion carried.

The meeting adjourned at 7:16 p.m.

COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB BOARD OF TRUSTEES

Secretary