

APPROVED MINUTES OF A SPECIAL MEETING OF THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE  
DISTRICT OF THE COUNTY OF MACOMB

A special meeting of the Board of Trustees of the Community College District of the County of Macomb was held Wednesday, November 29, 2023 at 6:00 p.m., in Room 125 of the University Center Professional Development, Center Campus, 44575 Garfield Road, Clinton Township, Michigan.

1.0 CALL TO ORDER

The meeting was called to order by Chairperson Lorenzo at 6:15 p.m.

2.0 ROLL CALL

Present:

Katherine Lorenzo, Chairperson

Kristi Dean, Secretary

Roseanne DiMaria, Treasurer

Shelley Vitale, Trustee

Absent:

Frank Cusumano, Vice Chairperson

Joan Flynn, Trustee

Vincent Viviano, Trustee

Also present:

James Sawyer, President

Sharon Kowal, Executive Assistant to the President & Board of Trustees

Jeffrey Steele, General Counsel, Office of General Counsel

3.0 APPROVAL OF AGENDA

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

ALL IN FAVOR:

AYES: DiMaria, Dean, Vitale, Lorenzo

ABSENT: Cusumano, Flynn, Viviano

NAYS:

MOTION CARRIED.

4.0 AUDIENCE PARTICIPATION

None.

## 5.0 INTRODUCTION AND SESSION PURPOSE

Chair Lorenzo said originally this meeting was planned to be an envisioning session, a discussion on the future of the college, but since then other issues have come up. This is our time together to share and feel comfortable discussing what is on each of our minds. This meeting will not be real formal, there won't be any voting, and will be more of a conversation on our thoughts about the college.

Chair Lorenzo said the topic of safety and threat assessment was one the trustees were interested in and comes up because of the email Trustee Cusumano sent out about board responsibility. This should be talked about especially because of the recent incident of the body found in the ductwork at the Macomb Center for the Performing Arts (MCPA). It raises a lot of issues.

Dr. Sawyer provided a brief update on the incident. He advised the board that this is an ongoing investigation and Chief Leavens is in charge.

The college's initial involvement was on November 7, 2023, when Sterling Heights Police (SHPD) reached out to us because the individual's cell phone pinged in the area of the MCPA. The person was last seen leaving a relative's home on October 25 and, on November 1, the family reported the person missing to the Sterling Heights Police. The college was first contacted by SHPD about the matter on or about November 7, 2023. Upon being contacted by SHPD on November 7, college police conducted a search but did not find anything. Because of where the person was located, we would never have found him. The only reason the person was eventually found was because of the foul odor that prompted further investigation. Chief Leavens reached out to area agencies who assisted in the discovery, collecting evidence and recovery of the remains. The deceased person had challenges with mental health and addiction and five active police warrants. It will never be known what was going through his mind. Apparently, he climbed onto the roof, breached a cold air return, moved through the ductwork until reaching a spot where he was unable to get out of and died of asphyxiation.

There is no video footage of the individual prior to his breach on the roof because the cameras don't cover that area, which is an issue. Chair Lorenzo stated that with the investment that has been made for cameras and security something like this to happen is very concerning. Dr. Sawyer said the cameras are deficient, we have pointed that out and we try to maintain the security cameras we have until they can be replaced. Predating this incident, we have been working with a consultant because we need a new camera system. The existing equipment is antiquated and doesn't always work. Will the expert working with us recommend putting cameras in that location, we will find out, and he doesn't know if that would have been part of the original recommendation. Increasing camera coverage is going to be expensive but is something that Administration believes has to be done. We are still in the planning stages and have not presented it to the board yet. Security camera footage from other locations on campus have been reviewed and do not reveal a sighting of the individual who got onto the roof area and into the vents. To be clear, we don't have footage of every square foot of campus.

Chair Lorenzo asked about the report about the Oxford school shooting that found the Oxford board somewhat responsible, what are the repercussions here? Dr. Sawyer said we don't believe there is any liability to the college at this point in the investigation. General Counsel Steele concurred with Dr. Sawyer that, in his view, the college is not liable. He stated that the report on Oxford found that the district had an acceptable threat assessment policy and mechanism, but they didn't follow it. There may be more responsibility in a K12 district because they are caring for youngsters and that may have played into the decision. We have a good robust system in place with the Campus Community Care (C3) team's policies and practices for threat assessments coupled with Christie Campus Health and campus police. Chair Lorenzo read some of the Oxford report as well and it seemed everyone was blamed, and she found it off putting. General Counsel Steele said the case has generated some discussion about Michigan's governmental immunity laws, but he is unaware of any significant changes to governmental immunity at this point. Governmental immunity protects public sector institutions, like Macomb, against certain kinds of lawsuits.

Trustee Vitale strongly encourages faculty and staff to watch out for one another if they have an experience with a student that causes them concern. Dr. Sawyer said the college has some processes in place to make others aware of possible situations, for example, the Maxient reporting system and Christie Campus will be helpful when they are on board. J. Steele added that if the C3 team has evidence of a student with mental health concerns they can perform a mandatory assessment to have the student evaluated. They also have a process to involuntarily withdraw a student temporarily until the threat assessment determines if they are a threat to themselves or others.

Trustee Dean had concerns about potential students who enroll in a class to be able to seek mental health services through the college so they wouldn't have to wait for services as long as they would at other facilities and there is no charge. Dr. Sawyer doesn't see that as a likely avenue. Trustee Dean asked if the college would know if a student enrolled in a class, without intending to graduate, only to get mental health services? Dr. Sawyer said, no we would not know that but explained how important it is to get those services because our students are asking for it. This service is only available to current students and if they have had three visits of the five allowed, we aren't going to deny them the two remaining visits, ultimately, we are here to help. J. Steele added we will be getting usage metrics and if we see evidence of people trying to game the system, we can take actions to prevent or limit that. At this point we don't anticipate it being a problem. If students have mental health services available to them, it may prove to be a benefit by keeping them here and the services could even help them graduate. Chair Lorenzo said the service is a protection to the college too. Dr. Sawyer said the C3 team will manage sending the students for services through Christie Campus. The students will be able to choose their modality of service.

Trustee Vitale recommended that the college amp up communications to students about the services that are available to them. Dr. Sawyer said there is always an opportunity to improve communications and one of the premises around the student success coaches is being able to



provide information when students need it and that is key. Our goal with the student success coaches is they are in a better position to steer people towards the resources when they are necessary. We hope communications will improve, the new portal for both students and staff launched on November 7<sup>th</sup> and is a much more robust communication mechanism. There is a lot happening at the college, so it becomes an issue of information overload and probably 95 percent of it is meaningless to a specific student. Our hope is the coaches are in a position to guide students at those critical times. Dr. Sawyer said this is new, just launched on November 1, and we are in the process of revamping Counseling and Advising as part of the D3C3 project and the strategic plan which is a multi-year endeavor and is why we got that grant. The success coaches are being funded from there now, and eventually the college will pick up more of the expenses. We expect to pay for that with increased retention and increasing completion rates, which is a consequence of this.

Trustee Dean shared her experience receiving an email from a student with a course substitution form attached. A course substitution is commonly requested by students who have taken a class equivalent to substitute a class required in their program. She obviously received it in error because although the student took the initiative to complete the form and meant to send it to an associate dean and was confused by her name "Dean". Trustee Dean questioned where the student success coach was in that process. Dr. Sawyer said he didn't know; this is a brand-new process and some of the responsibility is on the student to ask for help. It was good the student took the initiative, and we can all understand why they made the mistake they did, but the important thing is the student was directed to the right place.

Trustee Dean stated she is an advocate for students being able to complete a two-year degree in two years. Dr. Sawyer understands, we would like to see students take more credits, but the reality is our average student takes 8.5 credits. The Macomb Tuition Advantage incentivizes students to take more credits because it requires full-time enrollment. We hope it will increase that average. But in the fall, 73 percent of our students were part-time, and a two-year program cannot be finished in two years attending part time. That is a common issue at many community colleges, not just Macomb. Some students can't or don't have the time to attend more than part time. One of the things we are doing in Counseling & Academic Advising and with the Student Success Coaches is encouraging students to take greater loads especially if they are going for a degree. Students need to know at the very beginning if they are only taking one course a semester that it will take them years to complete a degree and maybe knowing that will motivate them to take additional courses. At the end of the day, it will ultimately be the student's decision.

## 6.0 ROLE OF THE BOARD AND BOARD SATISFACTION

Chair Lorenzo invited the trustees to share their thoughts on the role of the board.

Trustee Dean said she is unable to approve a \$500,000 purchase when there is only a paragraph of information. That isn't enough. Are we then just supposed to vote yes? She asked about the possibility of having an opportunity for the trustees to ask their questions before board meeting

day. There would be no discussions, just questions about an agenda item, quick simple questions and answers so trustees don't look stupid in front of everyone attending the meetings.

Dr. Sawyer responded that you don't look stupid, and it is the role of the board to ask questions until you are comfortable. To your point about just voting yes, he needs the board to feel comfortable and to know that a tremendous amount of work goes into the items that come before you. We have professionals and are working with contracted professionals who know those areas. He wouldn't be able to answer all your questions and that is why we have key staff available at the board meetings, so don't feel uncomfortable asking anything, that is why they are there.

Dr. Sawyer continued this is a big complex organization of 1,500 employees with experts in every area, and we work very hard to do the right thing. There are often disagreements before a decision is made but we work them out and by the time it is presented to the board it has been well thought out and the experts have weighed in that this is the right thing to do, and it should be a yes vote. As president he would never put the board in the predicament of presenting an item that isn't the right thing to do. He does not want the board to feel like the gatekeepers of that, he sees the trustee's role as more of a governance role. For example, are we following the purchasing policy? If we always brought recommendations for the highest bidder, to the board, without good rationale, that's something you should ask about, why are we doing that? That is a policy level question. But if we are bringing the lowest qualified bidder per the board's purchasing policy, he wouldn't expect trustees to have concerns in that respect. It is appropriate to ask questions, out of curiosity, about what we are buying or why do we need it.

Dr. Sawyer hopes to help Trustee Dean overcome her feeling of asking a stupid question because there is no such thing, and it is hard to be vulnerable and say out loud that you don't know something, but it is important that you all do that because it will help the board function better. We should be able to answer your questions. If we can't answer them, then we don't have a solid foundation for bringing something forward, which would be a problem.

J. Steele said the purchasing policy is a board policy enacted by the board many years ago which directs administration how to make purchases, and we must follow that policy which we do every time we bring something to the board. As far as questions, in almost every instance we bring an administrator or knowledgeable person to the board meeting, especially the info session, so they are present to knowledgeably answer your questions.

Trustee Vitale said it is difficult when the agenda is stacked and so much is going on and the feeling of being rushed there just isn't enough time to cover things. Dr. Sawyer replied that hours and hours of work has gone into those items and the board shouldn't feel the need to question the nitty gritty details. This is a governance policy board; the focus should be on the policies and are we following the policies. Until the board changes a policy, we will follow the one in place. J. Steele said the board policies are on the website and are general overview governance type policies that are there to direct not only the board but the administration. As counsel, if there is a policy that is lacking or should exist and doesn't, than that is a fair thing to raise at a meeting and we'll work together on it. That said, it is hard for a board that meets once a month to

micromanage everything, so the policies should be general and defer to the people you have hired and trust them to carry out those policies and administer the college. Chair Lorenzo said that should be made clear, the board should understand that and that is where the conversation breaks down because there is way too much detail there and it begs for questions. The presentation given by EVP L. Argiri and M. Zimmerman, CIO (November 2023 presentation) had too much detail, it should have been broken down into a more understandable story. She doesn't think the board is that interested in how old a building is, some of it yes, but there wasn't even a map in there and she doesn't think people know where the buildings are. Trustee Vitale said she thinks it is fear based because people are afraid the board is micromanaging, so they cover their butts and make it so detailed. She just needs to have a chart of how often items get replaced, the status of the replacement or how far behind we are in replacing it. Dr. Sawyer said he is hearing two different things: details and a high-level summary. Chair Lorenzo said sometimes the trustees don't understand what the write up means. Dr. Sawyer said we are spending millions of dollars and want to justify the expense. We want the write-ups to be meaningful to you so we will work on simplifying them, see if it is enough information and try to find a happy medium. Trustee Vitale expressed her wish that Trustees Cusumano, Flynn and Viviano were present for this conversation so they could understand the change. J. Steele said it may not be a big change, just present the board write ups in a way the board has a clearer vision of what they are being asked to decide.

Chair Lorenzo said that at the November 2023 Trustee Cusumano had a valid concern about renovating buildings before the Facility Utilization Study is done. Dr. Sawyer said in EVP Argiri's presentation she addressed that we are only bringing forth those facilities we know will be used - Sports & Expo Center, Public Service Institute and UC4 (MSU medical building) they have existing problems, and renovations really can't be delayed. Even M. Zimmerman indicated in his presentation that we continue to vet our mediation needs because we don't want to install them in rooms that aren't being used. He agrees with Trustee Cusumano that before we spend more money on other buildings, the facility utilization report should be done, but the requests for these buildings are critical.

J. Steele suggested if we present the board with a write up or presentation and you find it deficient or hard to understand, advise us of the issues and we can work to correct them. Trustee Dean said she suggested a meeting before the meeting day, giving our questions to Dr. Sawyer so he is prepared. J. Steele said the problem with doing that is the Open Meetings Act (OMA). That could potentially violate the Act. We need to be careful about that and there is time to ask questions in the information session and the general session. Trustee Dean said there isn't enough time at the information sessions. J. Steele said the info session starts at 6 p.m. and we try to start the regular meeting at 7:30 p.m. but no law says we must start at that exact time. Trustee Dean said Trustee Flynn has issues with the meeting not starting at 7:30 p.m. and there are other things that take place in the information session. Her point is if they could ask their questions prior to the information session so the regular meeting can start at 7:30, she will definitely ask more of her questions. It is intimidating when she is being presented with a program for the first time and the room is full of people who already know the ins and outs of it. Dr. Sawyer said that is typically not the case, depending on the issue some will know, but quite honestly most people won't.

Trustee Vitale said the questions asked during the information session are helpful and the most valuable part is the envisioning of the direction the college is going and how the administration and college are entrusting the bigger picture, for example knowing that the number of high school graduates is decreasing but telling us how we are addressing it. As far as voting, that is protocol to make sure we are doing that and trusting the people we have hired. J. Steele added that not all boards have an information session, so we really do offer a pre-meeting for the board to ask questions. Dr. Sawyer said there are certain months that we have to get college business done, i.e., budget and tuition. During the months we can, we are doing one presentation which doesn't leave much time for the positive things that are going on, for instance when the dual enrollment and Early Macomb students presented. That is the kind of thing that will not be presented, they take up time, so they won't happen. He tries to share some positive highlights in his remarks but sometimes they can be flat. He doesn't know the answer to the dilemma, providing useful information but not taking too much time.

Chair Lorenzo asked the trustees if they feel valued? Trustee Dean said no. Trustee DiMaria does. Trustee Vitale said as long as we can keep asking questions, she does.

Trustee Vitale said it wasn't until the November meeting that she kind of knew what Trustee Flynn is talking about when she asks why can't the vendor we choose be from Macomb County or Michigan. Maybe it doesn't always have to be that way with that policy and maybe we need to support our community since we have a close relationship with many of them. Dr. Sawyer said we will do whatever you want but the purchasing policy must be clear so we can follow it. He learned from EVP Argiri that prior to her time the purchasing policy had more flexibility. The issue was that individual trustees were being personally solicited by vendors, putting them in an awkward position because trustees are one of seven votes. Administration can't bring forth a recommendation and have the board vote yes or no based on the vendor, but if you are following the policy, it dictates who should get this work. He understands Trustee Flynn's preference, but we are also stewards of the taxpayer's money. Trustee Vitale knows it is the cleanest way and it works like a charm but if our local economy is lacking or suffering and if one amount is just a little lower than the other why can't we pick someone from around here to help the local community. J. Steele said not only does it open trustees up to lobbying but also to allegations of conflict of interest. Even though you may not be doing anything wrong, it opens up questions as to why you picked a company at a higher cost and what is the quid pro quo? Dr. Sawyer said if he gets a call from a vendor he has a standard answer, *"we select the lowest qualified bidder"* and there is no question of it. J. Steele routinely gets FOIA's usually after a bidding process because the losing bidders want to see all the other bids and who won it. If they start to see bids get the work and their bid was lower, it opens up the questions. It also makes it difficult for the administration because it will become a situation where they have to predict what the board is going to do. If the purchasing policy is a little vague, the administration then needs to make a prediction about what the board will prefer, as opposed to just following a clear policy. If there was to be a policy that gave preference to certain vendors because they are local or what have you, he would want it very clear, to the point of it being mathematical, so it gives clear direction to administration to

make the recommendation. Chair Lorenzo and Trustee DiMaria said the purchasing policy is just fine and Trustee Vitale added that it is the safest.

The Board Members:

Chair Lorenzo said we have a lot of discussions at the information session so there shouldn't be any surprises at the regular meeting. She thinks the board should present a unified front for many of the items we vote on. If our vote is split, it doesn't send a strong message that we believe in what we are doing. She strongly encourages the trustees that if you are not happy about something you owe it to yourself and to us to say so, let us know, don't keep it inside. Trustee DiMaria reinforced Chair Lorenzo's comment by saying to bring forward any questions or concerns at the information session, so we can hear you and inform you. Trustee Dean responded that goes to the group thing, no individuality. Chair Lorenzo said but we are a group (with one voice). Trustee Dean said so whatever the majority wants we have to go along with? Trustee DiMaria said no but bring it forward so we can discuss it and hear you.

Trustee Dean said she made her voice known on the mental health contract, she was a firm no, the motion failed but then it was back on the agenda the next month. The only time the board has voted no on an item was the naming of conference rooms after someone. That was the only time, and it was back in 2017, trustees may have voted no through the years, but as a group that's it. Dr. Sawyer said that's not necessarily a bad thing considering the amount of thought and preparation that goes into the agenda items that come before you. He doesn't dispute that a trustee can vote how they want but he is not surprised by the board's support, because if we didn't think it was necessary, we wouldn't ask for it.

Trustee Dean said it goes back to - do we have to have a consensus going into it or can one or two of us disagree? Chair Lorenzo said she didn't understand why Trustee Dean voted no on the Barton Malow contract. The fact that she didn't give it a yes vote made her wonder if she knew something they didn't, why did she do that and at that point she couldn't ask her about it. Trustee Dean clarified that she voted present on the Barton Malow contract and the other items except for the two grants because she did not want to stand out. Chair Lorenzo said if there is something a trustee is unhappy with, they owe it to themselves and to the rest of the board to discuss it. Trustee Dean said but not the same as everyone all voting yes. Chair Lorenzo said she didn't say you have to vote yes; she didn't understand why Barton Malow didn't get a yes vote. Trustee Dean said she didn't want to be singled out on one item on the agenda. Dr. Sawyer helped with further explanation that because Trustee Dean voted present on the Christie Campus contract she didn't want to vote yes on the rest of the items.

Chair Lorenzo asked Trustee Dean for additional explanation on why she voted no\* on Christie Campus? (\*Trustee Dean voted no on Christie Campus the first time it came up and present on Christie Campus the next time). Trustee Dean responded that there are a lot of loopholes. You need to be a current student to get the services, but is there any criteria before you can use the mental health services? You pay for the class, you don't attend, but you get mental health



services. That's a lot sooner than others in the community can get mental health services. Was there anything taken into account for that?

Trustee Vitale segued into how you say you have valuable input of the workings of any organization, accountable for certain things on a board if you are only supposed to say yes whenever something is presented to you. Chair Lorenzo said it's not that you have to vote yes, just give us a heads up if you are going to vote no. Dr. Sawyer said from an administrative perspective it is helpful to him, if a trustee disagrees, to know why, he'd like to be able to address what that concern is because in some cases it might be a misunderstanding. The trustees will vote how they want but further explanation may be helpful to you.

Trustee Vitale said when she doesn't understand something in the board packet, she will email Dr. Sawyer or call Chair Lorenzo. J Steele said we have to be careful with that type of communication because we don't want it to appear we are somehow sidestepping the OMA. It is okay for the trustees to talk to the president because it is not among the board members, but board members talking with one another about an issue to be decided is an issue if the discussion could be considered deliberation. Trustee Vitale agreed that they can ask their questions at info session. Trustee Dean reiterated her thought that there isn't enough time and when we run over and are late to the regular meeting Trustee Flynn gets upset. Dr. Sawyer said he would like to start on time as well, but it is based on the number of questions and if the board needs time to discuss something that is the time to do it when you are all together.

#### Visions of the College

Chair Lorenzo reminded the trustees that this is a very informal conversation. She said that many community colleges seem to be known for something, what are we known for?

- Trustee Dean: We are the only college in Macomb County
- Trustee DiMaria: An array of things, medical, veterinary tech, automotive

Chair Lorenzo asked if you could pick one, what would you say is our shining star? If we pooled resources together, where would we put it?

- Trustee DiMaria said automotive, then general studies and branch out from there.

Trustee Vitale said she would like Macomb Community College to be known as a leader instead of a follower. For example, Macomb could be the first to change the pay scale for the adjunct faculty or come up with different ways to deliver instruction since the pandemic.

Dr. Sawyer said on that note, he shared a few articles on the different modalities from a national perspective and what is happening in terms of modality since the pandemic. He also provided a one-page document of the modalities we offer at the college.

Trustee Vitale brought up the discussion on the shift towards anti-intellectualism and that community colleges should be on the forefront of developing a well-rounded individual. Dr. Sawyer said to get a degree at Macomb a student has to take 15 credit hours in liberal arts. But

because of the declining population of high school graduates and the number of jobs paying a good wage it is a challenge getting them to attend Macomb.

Chair Lorenzo said she asked Mike Baysdell, director of K12 Relations what is the number one thing high school students are looking for at Macomb and he responded gaming. Dr. Sawyer said one of the first things we look at in a degree is will they have a job, what are the employment outcomes. We haven't done a deep dive on gaming, but he will find out what the college has to offer in that area.

Dr. Sawyer said it is fine to bring up ideas like that, and we will investigate them, that's how new programs start, if there is a need. In fact, we are going to launch an LPN program. He was against it for years because it was a way for employers to pay lower wages. Now LPNs are making over \$50,000 a year, they are in high demand and employers all over are saying they want them. He doesn't know the launch date yet but there will be student demand and more importantly they will have good family sustainable jobs when they are done. Those are things we think of because our students need to have good paying jobs at the end.

## **7.0 OPEN DISCUSSIONS**

Chair Lorenzo asked the trustees if there was anything that hasn't been discussed and you want to have addressed.

Trustee Vitale said she'd like to have more discussions when there are more trustees present. Chair Lorenzo said we could call for another meeting. Dr. Sawyer said the information sessions for the next few months are scheduled for discussing the revised budget, tuition, and the new budget, so he would have to check when the next available information session is. He continued that meetings like this that are less formal and gives the board time for conversations can be held whenever you want, quarterly, biannually, it is your prerogative.

Trustee Vitale asked how can a board be effective and feel their time isn't being wasted but still follow protocol. A lot of our board members are concerned with budgets and money and we only meet once a month, it is hard with the time.

Trustee DiMaria said through all the years she has been a trustee, which is 25, she can honestly say that this ship has always run straight and true, never hit any waves, and she is very proud of it. She does not worry about anything that has been brought before her and she seldom has a question. She added that during her tenure, there have been three presidents, Drs. Lorenzo, Jacobs and Sawyer. Both Drs. Jacobs and Sawyer were selected in house. She said if she is here when the next president is to be selected she will not vote to hire a company to do a presidential search, because twice we selected from in house and it was an awful lot of money for a national search. She would like that brought to us beforehand before she would even consider. Dr. Sawyer said that is a board prerogative how to handle that.

Trustee Vitale is pleased how the board runs. Dr. Sawyer said that is a point not to be taken lightly because that's not always the case. It's okay not seeing eye to eye, but everyone is civil. We certainly appreciate the support we receive from the board.

Chair Lorenzo said she thinks it is heartwarming that every person on this board has the college's best interest at heart and she hopes this meeting was helpful.

8.0 ADJOURNMENT

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

Motion carried.

The meeting adjourned at 8:40 p.m.

COMMUNITY COLLEGE DISTRICT OF THE COUNTY OF MACOMB BOARD OF TRUSTEES

  
Secretary