

**DELTA COLLEGE
BOARD OF TRUSTEES REGULAR MEETING
DELTA COLLEGE BOARD ROOM
TUESDAY, AUGUST 14, 2012
7:00 p.m.**

MEMBERS PRESENT K. Ellison, R. Emrich, K. Higgs, K. Houston-Philpot, K. Lawrence-Webster, J. MacKenzie, R. E. Selby, R. Stafford, E. Wacksman

OTHERS PRESENT J. Goodnow, B. Baker, D. Baker, E. Beckman, T. Brown, W. Childs, P. Clark, T. Clegg, E. Crane, C. Curtis, J. Decker, L. Dull, C. Dzurka, S. Enriquez, A. Givens, L. Govitz, P. Graves, G. Hoffman-Johnson, L. Holoman, F. Hughes, T. Lane, D. Lutz, J. Miller, M. Mosqueda, G. Przygocki, L. Ramseyer, S. Smith, J. Stahl, A. Ursuy, B. Webb, S. Witzke, M. Wood

PRESS PRESENT O. Shawl (Collegiate), J. Hall (WSGW), Z. Reichard (Bay City Times)

CALL TO ORDER Board Chair Emrich called the meeting to order at 7:07 p.m.

APPROVAL OF AGENDA Board Chair Emrich called for approval of the agenda. J. Goodnow requested the following changes:

- Senate Policy 5.010 should be removed from the consent agenda.
- Senate Policy 5.015 should be removed from the agenda.
- Senate Policy 8.045 should be removed from the consent agenda.

The agenda was approved as amended.

PUBLIC COMMENTS Board Chair Emrich called for public comments.

K. Higgs said that he would like to speak about information that was included in a recent Bay City Times article regarding the costs of lawsuits that he has been involved in with the College. He said that he does not feel that the number R. Emrich quoted, \$270,000, was accurate. He also said that he did not feel that the Ader case should be included in the tabulation of costs. K. Higgs said that the costs are covered by insurance. He said that he feels he deserves better and the public deserves better.

TREASURER'S REPORT D. Lutz said that the financial reports included in Board packets this month represent the preliminary end-of-year reports. Year-end journal entries are not yet finalized, but at this time, we anticipate under spending of approximately \$1.5 – \$2 million. The under spending can be attributed to several factors including position vacancies, the self-funding of our health insurance, and continued savings in utilities due to sustainability efforts.

CONSENT Board Chair Emrich called for approval of the consent agenda.

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AGENDA

The Board unanimously approved the consent agenda, accepting the minutes of the Board Meetings that were held on June 5, 2012, June 12, 2012, June 18, 2012, and June 28, 2012. Revisions to Senate Policy 2.070 (BA4947), and revisions to Senate Policy 8.030 (BA4948) were also approved as part of the consent agenda.

**BOARD ACTION
SENATE POLICY
5.010
BA4949**

It is the recommendation of the Administration that the Board of Trustees approve the revisions to Senate Policy 5.010 A/P Staff Position Elimination, Position Modification, and Reassignment. R. E. Selby made a motion to approve the recommendation with support from E. Wacksman. Motion passed unanimously.

**BOARD ACTION
SENATE POLICY
8.045
BA4950**

It is the recommendation of the Administration that the Board of Trustees approve the revisions to Senate Policy 8.045 Student Violations of College Rules and Regulations. K. Ellison made a motion to approve the recommendation with support from K. Houston-Philpot. Motion passed unanimously.

**BOARD ACTION
MILLAGE
RENEWAL
PROPOSAL
BA4951**

It is the recommendation of the Administration that the Board of Trustees approve the Resolution to Submit Millage Renewal Proposal for the November 6, 2012 General Election, as detailed in the document submitted to the members of the Board. This proposal will permit Delta College to continue the current levy of millage for college purposes by renewing the College’s authority to levy 0.4864 mill previously approved by the voters, which will expire after the 2015 levy.

The following preamble and resolution were offered by Trustee Stafford and supported by Trustee Selby.

WHEREAS, the College has the authority to levy 0.4864 mill for operating purposes through 2015; and

WHEREAS, the College has determined that it is necessary for the continuing operation and financial stability of the College to seek voter approval for authority to continue to levy operating millage in the amount of 0.4864 mill for a period of eight (8) years, the tax years commencing 2016 to 2023, inclusive, as described in the ballot proposal attached to this Resolution as Exhibit A (the “Millage Proposal”); and

WHEREAS, it is necessary and desirable to submit the Millage Proposal to the College’s electors at the general election to be held on November 6, 2012 (the “General November Election”); and

WHEREAS, in order for the Millage Proposal to be submitted to the College's voters at the General November Election, it is necessary for the Board of Trustees of the College to certify the wording of the Millage Proposal to the County Clerk of the County of Saginaw, State of Michigan (the “Election Coordinator”), as required by the Act 116, Public Acts of Michigan, 1954, as amended (the “Michigan Election Law”) and Act 331, Public Acts of Michigan, 1966, as amended (the “Community College Act”).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The ballot wording of the Millage Proposal attached hereto as Exhibit A is hereby certified to the Election Coordinator for submission to the College’s voters at the General November

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Election. The Secretary of the Board of Trustees is hereby authorized and directed to file this Resolution and/or complete any such forms, certificates or documents as may be required by the Election Coordinator to evidence the foregoing certification and/or submission by no later than Monday, August 27, 2012.

2. The Election Coordinator is hereby directed to (a) post and publish notice of last day of registration and notice of election for the General November Election as required by the Michigan Election Law and the Community College Act; and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the Millage Proposal at the General November Election, which ballots shall be in the form appearing in Exhibit A, or the proposition shall be stated as a proposal on the voting machines, which ballots may include other matters presented to the electorate on the same date.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded to the extent of such conflict.

AYES: Trustees _____

NAYS: Trustees _____

RESOLUTION DECLARED ADOPTED.

Secretary, Board of Trustees
Delta College

I HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of Delta College, State of Michigan, at a regular meeting held on August 14, 2012, and that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

Secretary, Board of Trustees
Delta College

Exhibit A

DELTA COLLEGE MILLAGE RENEWAL

This proposal will permit Delta College to continue the current levy of millage for college purposes by renewing the College's authority to levy 0.4864 mill previously approved by the voters, which will expire after the 2015 levy.

Shall the previously approved 0.4864 mill expiring in 2015 be renewed so that the limitation

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on the amount of taxes which may be levied on taxable property in the Delta College district (comprised of the counties of Bay, Midland and Saginaw), be increased by 0.4864 mill (\$0.4864 per \$1,000 of taxable value) for eight (8) years, from 2016 to 2023 inclusive, to provide funds for community college purposes? If approved, 0.4864 mill would generate an estimated \$5,390,103 for the College when first levied in 2016.

YES

NO

The resolution and ballot language were approved by a vote of 9 “ayes”, 0 “nays”.
Results of the roll call vote are as follows:

K. Ellison – aye
R. Emrich – aye
K. Higgs – aye
K. Houston-Philpot – aye
K. Lawrence-Webster – aye
J. MacKenzie – aye
R. E. Selby – aye
R. Stafford – aye
E. Wacksman - aye

ADMINISTRATIVE REPORTS

STUDENT SUCCESS

Linda Holoman, David Baker, and student, Fantasia Hughes, presented information on a STEM Diversity pilot initiative that was offered at the College this summer. The goal of the program was to engage students and prepare them for STEM careers.

Stacy Smith, Toni Clegg, and Gail Hoffman-Johnson presented the results of the Assessment Academy.

PRESIDENT’S REPORT

Gifts to the College – July 2012

Foundation – \$106,363.00
Broadcasting – \$18,631.00
Monthly Total - \$124,994.00

Enrollment Report

Fall classes begin on Saturday, August 25. So far, 10,155 students have enrolled (4,096FT, 6,059PT). At this time, we have reached 96% of credit hour projections.

Personnel Report

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I would like to welcome Robert Super to Delta College.

Robert will begin teaching as a Computer Science and Information Technology Instructor, beginning in Fall 2012. This is a full-time, one-year appointment position (Division Chair replacement).

A complete report of hires and separations for the months of June and July 2012 can be found in your Board Packets this evening.

Information Sharing

- Dr. Goodnow announced that an additional applicant for the Vice President of Student & Educational Services has been recommended for consideration by the Search Committee and will be on campus August 16th for interviews.

Vice President of Student & Educational Services candidate, Mark Felsheim, will make a presentation titled, "*Student Success – What is it and how do we get there?*" in the Lecture Theater at 3:30 p.m. Mark's biographical information will be available at the presentation. An open question and answer session will follow.

- Leslie Myles-Sanders retired at the end of June. The College has hired the firm of Braun Kendrick to represent Delta College as outside counsel. Specifically, Ellen Crane will be our primary attorney. Others from the firm will assist as needed.

Dr. Goodnow welcomed Ellen Crane to Delta College. She noted that Ellen is part-time outside counsel for the College. This means that the scope of her duties is different than Leslie's was. As part of her role as General Counsel for the College, Ellen will attend all Board of Trustees Meetings as well as all Delta College Senate Meetings.

Individuals that have a college matter that requires legal advice/assistance will contact his/her respective Vice President (Tom Lane, Deb Lutz, or Margaret Mosqueda), Andrea Ursuy, or me. Board members who have a legal question can contact the Board Chair.

- Dr. Goodnow announced that she will deliver her annual All-College Address on Tuesday, August 21, in the Lecture Theater at 8:45 a.m. A breakfast will be held for all employees in the Commons prior to the speech. She invited Trustees to attend the breakfast from 7:30 a.m. – 8:30 a.m.
- It is always nice to hear from students who have had great experiences at the College. Amy Kusmierz served as an intern in Broadcasting this summer and we received the following note from her:

"Dear Joe Yezak and Q-TV Staff,
Thank you very much for the opportunity to have a summer internship at your television station. I really appreciate your time and trust in me and my abilities. I learned a lot and I will take what I've learned with me throughout my life. Thank you."

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Dr. Goodnow asked Trustees to fill out the communication preference form that has been included in folders this evening. The form should be returned to Amanda Givens as soon as possible.

Dr. Goodnow noted that the Fall Conference 2012 program was included in Board folders.

**TRUSTEE
COMMENTS
BOARD ACTION
BA4952
President's
Parking Space**

E. Wacksman made a motion that the College designate a reserved parking space for the College President. The motion was supported by K. Houston-Philpot. Motion passed unanimously.

K. Houston-Philpot said that at the June Board of Trustees Meeting she asked Dr. Goodnow and Deb Lutz to share ways in which the search process (specifically for the VP of SES) would be improved in the future. She thanked Dr. Goodnow and Deb for sharing those improvements and requested that they share the improvements with any Trustee who requests them.

K. Higgs said that it is ironic to him that the College is spending public dollars, not in defending the original action of Ader v. Delta College, but emphasis has shifted. Delta College has requested that the Michigan Supreme Court revisit its decision in the Lansing Schools Association case. General Counsel, E. Crane said that an amicus curiae brief has been filed as well. This is a "friend of the court" brief that has been filed by the Michigan Municipal League, the Michigan Townships Association and the Public Corporation section of the State Bar of Michigan to support Delta College in saying that the case deserves a second look by the Supreme Court.

K. Higgs submitted his resignation to the Board Chair. The letter submitted indicated that Mr. Higgs' resignation from his position as a Delta College Trustee would be effective at 11:59 p.m. on August 14, 2012.

ADJOURNMENT There being no further business, Board Chair Emrich adjourned the meeting at 8:31 p.m.

Respectfully submitted,

Andrea Ursuy, Board Secretary

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