

**DELTA COLLEGE DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
DELTA COLLEGE BOARD ROOM
TUESDAY, AUGUST 10, 2010
7:00 p.m.**

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

MEMBERS ABSENT K. Lawrence-Webster

OTHERS PRESENT J. Goodnow, B. Baker, P. Barber, P. Clark, L. Govitz, P. Graves, T. Grunow, S. Hartshorn, A. Hill, L. Holoman, G. Hoffman-Johnson, J. Knochel, T. Kubatzke, T. Lane, D. Lutz, A. McClorey-McLaughlin, J. Miller, S. Montesi, M. Mosqueda, L. Myles-Sanders, F. Pantoja, G. Przygocki, L. Ramseyer, S. Romer, J. Stahl, A. Ursuy, B. Webb

PRESS PRESENT A. Dodson (Bay City Times), J. Hall (WSGW)

CALL TO ORDER Board Chair K. Houston-Philpot called the meeting to order at 7:17 p.m.

APPROVAL OF AGENDA R. Emrich made a motion to approve the agenda with an amendment that the “Closed Session: Consult with counsel concerning specific pending litigation, Higgs v. K. Houston-Philpot and Delta College Board of Trustees, and Vermilya et al. v. Delta College Board of Trustees et al” take place immediately following public comments. The motion was seconded by J. MacKenzie. Motion passed unanimously.

PUBLIC COMMENTS Board Chair K. Houston-Philpot called for comments from the public.

CLOSED SESSION TO DISCUSS SPECIFIC PENDING LITIGATION R. E. Selby made a motion to go into closed session with support from R. Emrich.

K. Higgs said that the purpose of the closed session is to discuss pending litigation of which he is a party. He said that the Board has provided notice that the case be removed from Circuit Court to Federal Court. K. Higgs said that having the case addressed in the Federal Court is more time consuming and expensive. K. Higgs said that he understands the issues and is willing to amend the complaint to eliminate the issues that are of concern to the Board’s counsel.

L. Myles-Sanders said that K. Higgs is in violation of an order that has been issued by the Circuit Court. She noted that K. Higgs is discussing a matter with the client instead of with counsel. K. Houston-Philpot agreed that K. Higgs is out of order and asked that the Board Secretary take the roll call vote to go into closed session.

The results of roll call vote to go into closed session were as follows:

K. Ellison - Yes
R. Emrich – Yes
K. Higgs – No
K. Houston-Philpot – Yes
J. MacKenzie – Yes

*Approved by the Board of Trustees at the September 2010
Regular Meeting.*

R. E. Selby – Yes
E. Wacksman – Yes
R. Stafford - Yes

The Trustees went into closed session at 7:23 p.m.

The Trustees came out of closed session at 8:11 p.m. They took a brief recess and the regular meeting resumed at 8:16 p.m.

TREASURER’S REPORT

D. Lutz presented the Board with the general fund year end summary of variances by object comparing original budget to actual for the FY 09-10. She said that variances resulted because of record enrollments, savings in utilities, the reserve for doubtful accounts, and because of conservative spending on the part of cost center managers and the college as a whole.

CONSENT AGENDA

Board Chair K. Houston-Philpot called for approval of the consent agenda.

K. Higgs asked that item 5.A.(2), *Acceptance of Minutes: Budget Hearing, June 8, 2010*, be removed from the consent agenda.

R. Emrich made a motion to approve the amended consent agenda with support from E. Wacksman. Motion passed unanimously, approving the Minutes of the Board Dinner Meeting June 8, the Minutes of the Board Regular Meeting June 8, 2010, and the minutes of two special meetings of the Board, held on June 10 and June 21, 2010. The AFSCME AFL-CIO Local Union 845 Food Services labor contract (BA4831) and the AFSCME AFL-CIO Local Union 845 Facilities Management labor contract (BA4832) were also approved as part of the consent agenda.

ACCEPTANCE OF MINUTES BUDGET HEARING - JUNE 8, 2010

K. Higgs said that he would like to amend the June 8, 2010, Budget Hearing Minutes because Robert’s Rules requires that minutes of meetings reflect “all points of order and appeals, whether sustained or lost, together with the reasons given by the chair for his or her ruling.” He said that the minutes should reflect that he was not allowed to speak during public comments because the parliamentarian said that he was out of order.

L. Myles-Sanders said that the transcript of this meeting reflects that although Mr. Higgs was told he was out of order by the Chairperson of the Board, he continued to speak anyway.

R. Emrich said it is not that K. Higgs did not have the right to speak. He noted that the Board is just trying to make a point that K. Higgs is not a member of the public, but a member of the Board. As a Trustee, he is given special privileges to speak at the time the item is being acted upon and also during Trustee comments, the public is not.

R. Emrich made a motion that the minutes of the Budget Hearing be amended to reflect that a point of order was raised in regard to Mr. Higgs’ comments, a ruling was made by the Chair that Mr. Higgs should cease in his comments during a time reserved for the public, and that Mr. Higgs ignored the ruling and continued to speak during the public comments portion of the meeting. E. Wacksman seconded the motion. Motion passed with a vote of 6 in favor. R. E. Selby and J. MacKenzie voted in opposition to the motion.

*Approved by the Board of Trustees at the September 2010
Regular Meeting.*

**BOARD ACTION
SENATE POLICY 2.060
BA4833**

It is the recommendation of the Administration that the Board of Trustees approve the revisions to Senate Policy 2.060, Grievance Procedure. R. E. Selby made a motion to approve the recommendation with support from R. Stafford.

K. Higgs said that he thinks that both parties should have the right to have counsel present. He noted that it would help both parties to avoid costly mistakes. K. Higgs made reference to a recent settlement in a case against the College. Board Secretary, L. Myles-Sanders called for a point of order and noted that K. Higgs was exposing confidential information. L. Myles-Sanders said that this policy has been reviewed by outside counsel and by the Board at a meeting earlier this year. The Board agreed at that time with the recommendations of outside counsel and forwarded those recommendations back to the Senate so that the policy could be revised accordingly.

Motion passed with a vote of 7 in favor. K. Higgs voted against the motion.

**BOARD ACTION
SENATE POLICY 2.095
BA4834**

It is the recommendation of the Administration that the Board of Trustees approve the revisions to Senate Policy 2.095, Sexual Harassment. R. E. Selby made a motion to approve the recommendation with support from K. Ellison. Motion passed unanimously.

**BOARD ACTION
DIVISION OF SENATE
POLICY 3.020
BA4835**

It is the recommendation of the Administration that the Board of Trustees approve the division of Senate Policy 3.020. R. Emrich made a motion to approve the recommendation with support from K. Higgs.

R. Emrich restated the motion to approve the division of Senate Policy 3.020 to reflect that Senate Policy 3.020(1) is now 3.020, 3.020(2) is now 3.021, and 3.020(3) is now 3.022.

Motion passed unanimously.

**BOARD ACTION
SENATE POLICY 3.021
BA4836**

It is the recommendation of the Administration that the Board of Trustees approve the revisions to Senate Policy 3.021, Progressive Discipline for Faculty for Reasons Other than Teaching Effectiveness. R. E. Selby made a motion to approve the recommendation with support from E. Wacksman. Motion passed with a vote of 7 in favor. K. Higgs voted against the motion.

**BOARD ACTION
PRESIDENT'S
COMPENSATION
BA4837**

K. Houston-Philpot recommended that the Board of Trustees maintain the President's 2010-2011 salary at the 2009-2010 level. She noted that President Goodnow requested this at the June Board meeting. R. E. Selby made a motion to approve the recommendation with support from R. Stafford. Motion passed unanimously.

**ADMINISTRATIVE
REPORTS –**

Gifts to the College for the Month of July 2010

**PRESIDENT'S REPORT –
GIFTS TO THE COLLEGE**

Delta College Foundation – \$39,950.00
Delta Public Broadcasting - \$25,462.00
Monthly combined total – \$65,412.00

**PRESIDENT'S REPORT –
PERSONNEL REPORT**

Dr. Tom Lane has been hired as the new Vice President of Instruction and Learning Services. In addition, Dr. Nancy Hartshorne has been appointed as a one-year renewable instructor in the psychology discipline, effective for the 2010-11 academic year.

*Approved by the Board of Trustees at the September 2010
Regular Meeting.*

Andrew Reider is also joining the faculty as a one-year renewable art instructor for the 2010-11 academic year.

Detailed information about these new hires as well as a complete report of hires/separations for the months of June & July can be found in Board packets.

Enrollment Report

Registration is in progress for the fall 2010 semester. To date, 10,336 students have registered (4618FT, 5718PT). Payment deadline was July 27, and classes begin on Saturday, August 28.

PRESIDENT'S ANNOUNCEMENTS

Newsworthy

- Senators Debbie Stabenow and Carl Levin announced the inclusion of \$2 million for nine Michigan projects in the fiscal year 2011 appropriation bill for the Departments of Labor, Health and Human Services, Education, and related agencies.

One of the nine is a **\$250,000 grant** to help purchase digital and electronic instruments to update Delta College's Chemical Process lab and establish a Lithium Battery lab.

This is the first step in the funding process as the bill must be approved by the Senate and a House-Senate conference committee before it is given final approval by Congress. It will then go to President Obama for his signature.

- Delta College recently served as a host of the Great Lakes Leadership Academy. The Leadership Academy is a program that was created by the Chair Academy to provide leadership training for midlevel managers and above. 44 leaders from the US and Canada attended the training, which was held at the Planetarium. Five Delta College employees participated in this wonderful opportunity:
 - Diana Gutierrez, Counseling
 - Greg Mallek, Athletics
 - Terri Gould, SES Division Technology Specialist
 - Chris Curtis, Chair of the Social Science Division
 - Felicia Peters, Chair of the Business and Information Technology Division
- Dr. Goodnow passed around the College's latest admissions materials. She said that she is very pleased with the collaborative way the Admissions and Marketing departments have worked together to create innovative, coordinated pieces that reflect the College in a very positive light to potential students. Dr. Goodnow thanked Leanne Govitz and the staff in the Marketing Department for their creativity.

Healthcare Programs Update

Ginny Przygocki and Dr. Goodnow provided the Trustees with an update on the status of Delta's
*Approved by the Board of Trustees at the September 2010
Regular Meeting.*

healthcare programs. They provided the Trustees with information that will assist the Trustees in answering questions that they may receive.

J. MacKenzie said that he would like to know what the Board can do to help with the waitlist situation. He would like to think of some out of the box ideas to help. R. Stafford said that it would be helpful to have a prioritized list of issues related to the healthcare programs.

TRUSTEE COMMENTS

K. Higgs began reading from a letter that he received from a student. As a point of order, Board Secretary L. Myles-Sanders said that Robert's Rules requires that a member request permission of the body prior to reading from a paper or book. T. Lane said that the same letter was received on campus and that he had a chance to talk to the student about her concerns. R. Emrich made a motion that copies of the letter be distribute to every member of the Board for review. The motion was seconded by J. MacKenzie. Motion passed unanimously.

E. Wacksman noted that "College: The Musical" will be performed at the State Theater on August 13, 2010.

K. Higgs said that there were changes implemented regarding the Trustee Scholarship procedure (which is found in the Board Operating Parameters) without the input and approval of the Board of Trustees. T. Kubatzke said that the ideas were presented at a Board Dinner Meeting and several Trustees followed-up to provide additional input. He noted that there was a need to act quickly on this time-sensitive issue because the schools need to notify students. The new procedure will prevent the scholarship program from going over budget.

R. Stafford said that he attended a great ACCT workshop – New Trustee Governance Leadership Institute. He added that he will report on the Institute at a later time.

CHAIR COMMENTS BA4838

K. Houston-Philpot said that each year, member colleges of MCCA are required to certify board members who will serve as MCCA Trustee Directors. K. Houston-Philpot recommended that she serve as MCCA Trustee Director and R. Earl Selby serve as MCCA Alternate Trustee Director. R. Emrich made a motion to approve the recommendation with support from K. Ellison. Motion passed unanimously.

Chairperson Houston-Philpot said that she appreciates the time that the Trustees have spent discussing the issue of policy governance.

Chairperson Houston-Philpot said that she would like to see the Trustees focus time and attention on the success of Delta College – and not on activities that aren't focused on the mission of the College.

*Approved by the Board of Trustees at the September 2010
Regular Meeting.*

ADJOURNMENT

There being no further business, Board Chair K. Houston-Philpot adjourned the meeting at 10:30 p.m.

Respectfully submitted,

Leslie Myles-Sanders, Board Secretary

Andrea Ursuy, Recording Secretary

*Approved by the Board of Trustees at the September 2010
Regular Meeting.*