

Delta College
Board of Trustees Special Meeting
Virtually via Zoom (1-989-205-6099 Webinar ID 814 7531 9469)
Held virtually in accordance with Public Act 254 of 2020 due to the COVID-19 Pandemic
(Due to declaration of a Local State of Emergency by the Bay County Executive on April 6, 2021 and
Bay County Board of Commissioners resolution No. 2021-59 on April 13, 2021, extending the
Local Emergency Order for a three-month period to expire on July 13, 2021.)
Wednesday, July 7, 2021
5:00 pm

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| Board Members Present | A. Baldwin, R. Emrich, S. Gannon, D. Middleton, M. Nash, M. Rowley, M. Thomas |
| Board Members Absent | M. Benecke |
| Others Present | T. Brown, P. Clark, M. Crawmer, C. Curtis, R. Davis, S. DuFresne, A. Elias, M. Gavin, J. Goodnow, L. Govitz, M. Groulx, S. Harrison, S. Lewless, G. Luczak, P. Matusiak, M. Pratt, K. Rishe, K. Schuler, S. Shinkel, A. Ursuy |
| Press Present | R. Antonio (WSGW) |
| Call to Order | Board Chair, M. Nash read a meeting overview at 5:01 pm. |

Good evening,

The Board is authorized to hold this virtual meeting with participation through the Zoom platform in compliance with the Michigan Open Meetings Act as amended (Public Act 254 of 2020) which permits a public body to meet by electronic or telephonic means upon declaration of a local state of emergency if meeting in person would place at risk the personal health or safety of members of the public or members of the public body. On April 6, 2021, the County Executive of Bay County declared a Local State of Emergency. On April 13, 2021, the Bay County Board of Commissioners issued resolution No. 2021-59, extending the Local Emergency Order for a three-month period to expire on July 13, 2021.

The Zoom platform allows participants to participate virtually via phone or computer and ensures that the public can participate in this meeting.

For those joining us today, we want to ensure everyone can hear the board meeting. To minimize audio feedback, we ask all virtual participants NOT to use any speakerphone options.

All participants are currently muted to prevent any background noise or feedback. Board members will be unmuted to allow full participation during the meeting.

I have asked our Assistant Board Secretary, Talisa Brown; and Kay Schuler, Administrative Assistant in the President's Office, to serve as moderators to assist me with today's meeting.

Our moderators will note those who wish to address the Board and will unmute your lines one by one, announcing who is being unmuted.

Please note that all votes will be taken via roll call by our Board Secretary, Andrea Ursuy.

In addition, “the amendments (to the Open Meetings Act that went into effect on October 16, 2020) impose a new requirement for any member of the public body participating remotely to publicly announce, at the outset of the meeting, that he or she is participating remotely. If the announcing member's remote participation is for any reason other than military duty, the member must announce his or her physical location "by stating the county, city, township, or village and state from which he or she is attending the meeting remotely." The member's public announcement must be included in the meeting minutes.”

Therefore, our Board Secretary, Andrea Ursuy, will take attendance immediately after I call the meeting to order. When she calls your name, please say “here” and announce the city, township, or village; county; and state from which you are attending the meeting remotely.

If members of the public wish to address the Board, you may do so during the public comment portion of the meeting, which is on our agenda and will be announced by the Board Chair.

At that time, those wishing to address the Board should indicate their desire to speak by pressing *9 (star-9) or the “raise hand” option.

Notes on rules for public comment, when you are acknowledged by the Board Chair, we ask that you state your name and you may state your county of residence. As outlined in the Board of Trustees Bylaws, please limit your comments to five minutes.

Board Chair, M. Nash called the meeting to order at 5:04 pm.

Board Member Attendance

Each Trustee indicated their presence, township or city, county and state in which they were participating in this meeting.

- A. Baldwin – Present, Spaulding Township, Saginaw County, Michigan
- R. Emrich – Present, Saginaw Township, Saginaw County, Michigan
- D. Middleton – Present, Williams Township, Bay County, Michigan
- M. Nash – Present, Larkin Township, Midland County, Michigan
- M. Rowley – Present, Hampton Township, Bay County, Michigan
- M. Thomas – Present, Saginaw Township, Saginaw County, Michigan

Approval of Agenda

Board Chair, M. Nash, called for the approval of the agenda. R. Emrich made a motion to approve the agenda. M. Thomas seconded the motion.

The results of the roll call vote are as follows:

- A. Baldwin – Yes
- R. Emrich – Yes
- D. Middleton – Yes

M. Nash – Yes
M. Rowley – Yes
M. Thomas – Yes

Motion passed unanimously.

Public Comment Board Chair, M. Nash called for public comment.

Vote to Go into Closed Session R. Emrich made a motion that the Board enter into closed session pursuant to Section 8(c) of the Open Meetings Act to consider strategy connected with the negotiation of the faculty collective bargaining agreement. D. Middleton seconded the motion.

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

A. Baldwin – Yes
R. Emrich – Yes
D. Middleton – Yes
M. Nash – Yes
M. Rowley – Yes
M. Thomas – Yes

Motion passed unanimously.

The Board went into closed session at 5:07 pm.

Open Session Resumes The closed session ended and the Board went back into open session at 6:28 pm.

S. Gannon joined the meeting. S. Gannon indicated her presence, township or city, county and state from which she was participating in the meeting.

S. Gannon, Present, Jerome Township, Midland County, Michigan

N. Nash made a motion to amend the agenda by adding the approval of the faculty collective bargaining agreement. D. Middleton seconded the motion.

The results of the roll call vote are as follows:

A. Baldwin – Yes
R. Emrich – Yes
S. Gannon – Yes
D. Middleton – Yes
M. Nash – Yes
M. Rowley – Yes
M. Thomas – Yes

Motion passed unanimously.

Approval of Faculty Collective M. Nash then made a motion to approve the faculty collective bargaining agreement. R. Emrich seconded the motion.

Bargaining Agreement (BA5406)

The results of the roll call vote are as follows:

- A. Baldwin – Yes
- R. Emrich – Yes
- S. Gannon – Yes
- D. Middleton – Yes
- M. Nash – Yes
- M. Rowley – Yes
- M. Thomas – Yes

Motion passed unanimously.

Acknowledgment of Resignation of Midland County Trustee – Andre Buckley

Board Chair, M. Nash acknowledged the resignation of Midland County Trustee, Andre Buckley and noted that he had shared the notice with the other Trustees.

He also said that we need to move immediately to fill this vacancy and that the next several items on the agenda were in regards to the vacancy.

Discussion of Process to Appoint a Qualified Elector of the Delta College District Residing within Midland County to fill the Midland County Trustee Vacancy through December 31, 2022

Board Chair, M. Nash noted that documents used in filling the recent vacancy in Saginaw County such as the interview questions and a draft press release were sent to the Board. A draft timeline for filling the vacancy was shared with the Board.

The press release would be released tomorrow, July 8, 2021 with applications being accepted through Thursday, July 22, at 12 noon. Scheduling of interviews would take place during the week of July 26. Interviews would take place August 2-6, 2021. Interviews would be held during a Vacancy Committee Meeting(s) which will be posted, open to the public, and take place in person per the Open Meetings Act. The Vacancy Committee would make their recommendation at the August 10, 2021, Regular Board Meeting.

R. Emrich asked if this could be done via Zoom. It was noted that effective July 13, 2021, all board meetings would have to take place in person.

A. Ursuy recommended that the question regarding meeting virtually due to COVID-19 be removed from the press release as our ability to meet remotely will expire.

Appointment of Vacancy Committee

Board Chair, M. Nash said that traditionally we have had the two Trustees that are remaining for the county with the vacancy be part of the committee as well as one representative from each of the other two counties. The two remaining trustees in Midland County are himself, M. Nash and S. Gannon. S. Gannon has agreed to chair the committee. The other committee members would be M. Rowley from Bay County and M. Thomas from Saginaw County. M. Nash thanked everyone for their willingness to participate.

Finalize and Approve Interview Questions for Midland County Trustee Vacancy (BA5407)

R. Emrich made a motion that the previous questions be adopted with the removal of the COVID-19 question and that the Vacancy Committee be given the discretion as to whether they will interview all applicants. M. Thomas seconded the motion.

S. Gannon made a motion to amend R. Emrich's motion to allow for consolidation of questions and make them less leading to allow for more time for the candidates to ask the Trustees questions. M. Nash seconded the motion.

M. Rowley then made a motion for a friendly amendment to S. Gannon's motion giving the administration the ability to consolidate and try to make the questions less leading. S. Gannon agreed to the friendly amendment as did M. Nash who seconded S. Gannon's motion.

R. Emrich asked for clarification as to what questions S. Gannon was referring to as there were questions included in the press release as well as the actual interview questions. S. Gannon noted that she was referring to the interview questions.

R. Emrich proposed another possible amendment to ensure that all candidates would be asked the same questions.

M. Rowley then proposed that all the motions in regards to the questions be removed and a new clearer motion be made.

S. Gannon withdrew her motion. R. Emrich withdrew the original motion. This was seconded by M. Thomas, the original seconder of the motion.

R. Emrich then made a motion that the Board accept the questions that will be sent out in the press release and answered by the candidates to remain the same and that the Board give the discretion to the committee to ask whatever questions they wish to ask of the candidates during the interviews but they must all be asked to each candidate. M. Rowley seconded the motion.

A. Ursuy noted that the list of interview questions will be narrowed down as there are duplicated questions between the press release and the interview questions.

The results of the roll call vote are as follows:

- A. Baldwin – Yes
- R. Emrich – Yes
- S. Gannon – Yes
- D. Middleton – Yes
- M. Nash – Yes
- M. Rowley – Yes
- M. Thomas – Yes

Motion passed unanimously.

**Trustee
Comments**

D. Middleton thanked everyone for their hard work behind the scenes. It's been a very heavy lift and she truly appreciates it. She also appreciates the upcoming work in the replacement for Trustee Buckley.

M. Rowley also appreciates all the hard work of everybody in the administration in working to help move the contract forward and everything else that's been done.

A. Baldwin also thanked everyone working hard behind the scenes and noted that collective bargaining is never easy but necessary.

R. Emrich said good job to everyone. He hopes that the Board would communicate with Trustee Buckley and thank him for his service to the College and to the Community.

M. Nash noted that we typically do a plaque to commemorate a Trustee's time on the Board.

M. Thomas also thanked everyone for their hard work. She also thanked Trustee Buckley for his dedicated service and his commitment to not only the Midland community, but to all three counties. She also welcomed Dr. Gavin.

S. Gannon also welcomed Dr. Gavin. She noted what a whirlwind it has been but appreciates everyone's effort and work. She said that Trustee Buckley will be missed and that he's been a joy to work with. Finally, she thanked the Trustees for their competence in her leading the Board through the next board vacancy.

Chair Comments M. Nash thanked Trustee Buckley for his service over the last few years and also the committee for stepping in, especially S. Gannon for her leadership. He also welcomed Dr. Gavin and congratulated Dr. Goodnow and the rest of the negotiation team on the approval of the agreement. Finally, M. Nash reminded Trustees of the upcoming MCCA Conference.

Adjournment There being no further business, Board Chair, M. Nash adjourned the meeting at 6:50 pm.

Talisa Brown, Assistant Board Secretary