

Delta College District
Board of Trustees
Special Meeting
Bylaws Subcommittee
August 26, 2008
President's Conference Room
4:30 p.m.

Board Members Present: R. Emrich, K. Higgs, R. Stafford

Others Present: T. Brown, J. Goodnow, L. Myles-Sanders, A. Ursuy

Call to Order: Bylaws Subcommittee Chair, R. Stafford, called the meeting to order at 4:42 p.m.

R. Stafford called for public comments. Hearing none, the meeting proceeded.

R. Stafford called for acceptance of the minutes of the August 13, 2008, meeting of the Bylaws Subcommittee. The minutes were unanimously accepted as written.

R. Stafford said that the committee would be using Kirtland's bylaws as a model. He opened the meeting for discussion. R. Stafford asked that the committee look at specific headings.

R. Emrich suggested that the committee go through the document to see what we want to add and subtract. R. Emrich, in regard to Article I, suggested that the name of the college be changed and that Sections 1 and 2 would be adopted. R. Stafford noted that it would be a straight substitution with changes to the name, counties and the date of establishment.

K. Higgs asked about Delta's name. He did not believe it to be only Delta College. R. Emrich noted that there is a legal name for the college. K. Higgs noted that the current college bylaws use Delta College Community College District as the college name. R. Stafford thought that this name was a reference to the tri-county service area. L. Myles-Sanders suggested that the committee go back through the minutes and history to verify the College name. E. Emrich noted that the correct date of establishment needs to be changed.

R. Stafford noted under Section 2 the counties of Bay, Midland and Saginaw need to be included.

K. Higgs suggested that the vacancy part in Section 1 under Article II should be in a separate section. R. Stafford noted that Section 7 is named vacancy. The sentence on vacancy in Section 1 of Article II is literally duplicated from Section 7. K. Higgs did not see the need to have this information in two different sections. The committee agreed to take out the sentence on vacancy under Section 1. Governing body. R. Stafford asked if the statement was in accordance with Act #188 of the Public Acts of 1955. E. Emrich said that it would be worth taking a double check. R. Stafford asked if L. Myles-Sanders would verify the information.

R. Stafford noted that under Section 2, Delta College has 9 trustees. R. Emrich noted that there needs to be reference to there being 3 board members from each county. L. Myles-Sanders read from the Community College Act 389.14, "The board of trustees shall consist of 9 members, 3 from each county, elected for 6 year terms." She also noted that the members are elected at large. K.Higgs asked if there was any reference to this in the current bylaws. He noted that the term of office needs to change to state that the member takes office on January 1st of the year following the election.

R. Stafford said that it needs to be noted that there is an election rotation every two years, one member from each county. K. Higgs asked how we would determine which positions are up for election. J. Goodnow noted that we have term limits. R. Stafford noted that you are elected for six years and that would determine when you are up for election. R. Emrich said that the statement, "Concurrent terms of office may be held by no more than three members." would solve that.

R. Emrich stated that Section 3 does not need to be in the bylaws. He asked if we had any obligation to inform candidates of all statutory requirements needed to run for office. L. Myles-Sanders noted that the election laws have changed. She said that Sue Kaltenbach has made it clear that she is the resource person for board candidates.

R. Emrich said, in regards to Section 4, Delta College Trustees are elected in years of presidential or gubernatorial elections. R. Stafford asked if we could say that our elections are held on every even year. L. Myles-Sanders asked if we even needed to state this information. K. Higgs said that it would be helpful for someone looking at the bylaws. R. Emrich noted that board elections will be held at the November election in even numbered years.

J. Goodnow said that in Delta history that the College was officially given the name Delta College by the Board of Trustees in April of 1960. R. Emrich noted that in Section 1 of Article I, the name of the College should be Delta College. L. Myles-Sanders noted that the College name was established in 1960 but that the College was created before that. J. Goodnow stated that in 1957, voters approved the establishment of the tri-county college district. L. Myles-Sanders noted that there would need to be two sentences; one with the establishment of the College and the second with the name of the College.

K. Higgs suggested that Section 5 be removed. R. Emrich noted that is vague. He also suggested that Section 5 be placed in the standing rules.

K. Higgs suggested that Section 6 be removed. If there were any residency issues, the county clerk's office would take care of them. R. Emrich suggested that Section 6 be placed in the standing rules. K. Higgs didn't think that they were a requirement of statute. He also noted that this should be the clerk's responsibility. R. Emrich said that we should check with Sue Kaltenbach. L. Myles-Sanders said she would check with Sue.

R. Emrich noted, in regards to Section 7, the practice has been that the Chair of the Board appoints a committee consisting of one board member from each county. They receive applications and establish an interview schedule which takes place at an open meeting. The committee then makes recommendations to the board. J. Goodnow said if that is the way the board has been operating then the process should be included in the bylaws.

K. Higgs referenced the Community College Act, section 389.156, in regards to the oath of office. He stated that this should be included in the bylaws. R. Emrich asked if the election law had changed since

this statute was put in place. He also stated that if the responsibility is that of the board secretary as it was in the past then it needs to be stated.

R. Stafford proposed that the articles and sections be renumbered once the document is completed. He also asked about statues and whether or not they need to be included since they have to be followed. K. Higgs stated that he believed they should be since people are looking at this document for the rules.

R. Stafford said that the group would pick up with Section 7, vacancy, at the next meeting.

The group decided that the next meeting of the Bylaws Subcommittee will take place on September 17, 2008 at 5 p.m. in the President's Conference Room.

Meeting adjourned at: 5:34 p.m.

Respectfully submitted,

Leslie Myles-Sanders, Board Secretary

Talisa Brown, Recording Secretary