

Approved with Changes

**DELTA COLLEGE DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, JANUARY 13, 2009
DELTA COLLEGE BOARD ROOM
7:00 p.m.**

- MEMBERS PRESENT** R. Emrich, K. Higgs, K. Houston-Philpot, T. Lane, K. Lawrence-Webster, J. MacKenzie, R. Stafford, E. Selby, E. Wacksman
- OTHERS PRESENT** J. Goodnow, B. Baker, P. Clark, M. Cooper, C. Drouse, L. Govitz, P. Graves, T. Grunow, D. Halog, J. Ham, E. Heil, J. Knochel, T. Kubatzke, D. Lutz, L. Myles-Sanders, J. Miller, S. Montesi, C. Morley, M. Mosqueda, V. Przygocki, K. Randolph, L. Ramseyer, D. Redman, D. Salinas, J. Stahl, P. Seidel, T. Stitt, A. Ursuy, K. Wilson, D. Zube
- PRESS PRESENT** P. Brandt (Bay City Times), J. Hall (WSGW)
- CALL TO ORDER** Board Chair R. E. Selby called the meeting to order at 7:15 p.m.
- ORGANIZATIONAL MEETING** It is the recommendation of the Nominating Committee of the Board of Trustees that Trustee Kimberly Houston-Philpot be elected Board Chairperson and Trustee Robert Emrich be elected Board Vice Chairperson for a 2-year term commencing in January of 2009. K. Higgs made a motion to approve the recommendation with support from R. Stafford. Motion passed unanimously.
- (BA4733) Election of Officers**
(BA 4734)Regular Mtg. Calendar
- J. Goodnow thanked Trustees R. Earl Selby and Jack MacKenzie for serving as Chairperson and Vice Chairperson from January 2007 – January 2009. Trustee Selby turned the gavel over to newly appointed Board Chair, K. Houston-Philpot.
- It is the recommendation of the Administration that the Board of Trustees approve the Board of Trustees Regular Meeting Calendar for the year 2009, as proposed. K. Higgs made a motion to approve the recommendation with support from E. Wacksman. J. Goodnow pointed out that the April, June, and August meetings will be held at off-campus centers. The October meeting will be held a week later than normal because the College will be co-sponsoring the League for Innovation CIT Conference in Detroit on October 13, 2009. Motion passed unanimously.
- PUBLIC COMMENTS** Board Chair K. Houston-Philpot called for comments from the audience.
- Outgoing Senate President, M. Cooper, thanked the Board for the welcoming way in which he was treated during his time as Senate President. He said that during his time with the Board, he witnessed a dedicated group of volunteers and community leaders. He added that

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he admired the way that the Board has weathered tough internal and external conditions. M. Cooper introduced D. Redman, incoming Senate President. K. Houston-Philpot thanked M. Cooper for his kind words of wisdom and for this outstanding leadership during his tenure as Senate President.

K. Higgs said that he was speaking on behalf of his client, Harlan Vermilya. Mr. Vermilya is suing the Board of Trustees Compensation Committee. The suit alleges that the Compensation Committee violated the Open Meetings Act. K. Higgs said that he feels that there are illegal issues in the President's contract. K. Higgs added that a challenge to the President's contract will also be made in a subsequent suit.

R. Emrich asked L. Myles-Sanders about the propriety of a board member serving a client that is suing the board on which he serves. L. Myles-Sanders responded that in her opinion, this is a conflict of interest.

K. Higgs said that he thought about conflict of interest and said that he doesn't intend to vote or participate in closed sessions regarding this case.

R. Emrich said that he is very disappointed in the actions of Mr. Higgs. T. Lane added that he is also disappointed and added that he views this action as a serious conflict of interest.

K. Lawrence-Webster noted that K. Higgs participated in the meetings of the Compensation Committee. She added that the Committee took extra efforts to consider any issues raised by Mr. Higgs throughout the process.

R. Stafford said that he echoes the views of R. Emrich and T. Lane. He added that he loves Delta College and what we stand for.

As a point of order, R. Emrich noted that if Mr. Higgs wants to make comments he should make them during the "Trustee Comments" portion of the meeting. The "Public Comments" item on the agenda is intended for members of the public.

ACCEPTANCE OF MINUTES

Board Chair K. Houston-Philpot called for additions or corrections to the minutes of the Board Dinner Meeting and Regular Meeting of December 16, 2008. T. Lane made a motion to accept to the minutes. K. Lawrence-Webster seconded the motion. The minutes were accepted as submitted.

TREASURER'S REPORT

D. Lutz informed the Board that at the end of December, the College remains in sound cash position. She added that she has reviewed the financial statements from the last month and there are no new variances

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to report. K. Higgs made a motion to accept the Treasurer's Report. R. Stafford seconded the motion. The Treasurer's Report was accepted as submitted.

**PERSONNEL
BA4735**

It is the recommendation of the Administration that the Board of Trustees approve the appointment of Denise Lipscomb as Nursing Instructor in the Health and Wellness Division for the 2009-2010 academic year. This is a tenure-track appointment commencing July 1, 2009 and ending on June 30, 2010. T. Lane made a motion to approve the recommendation with support from R. Stafford. Motion passed unanimously.

**PERSONNEL
BA4736**

It is the recommendation of the Administration that the Board of Trustees approved the reappointment of Dr. Gail L. Hoffman-Johnson as Chairperson of the Business and Information Technology Division for a three-year term commencing May 1, 2009 and ending April 30, 2012. R. Selby made a motion to approve the recommendation with support from R. Stafford. Motion passed unanimously.

**COMMITTEE-OF-THE-
WHOLE
BA4737**

It is the recommendation of the Administration that the Board of Trustees approved the resolution below for a Special Liquor License for a Valentine dinner and program at the Delta College Planetarium and Learning Center on February 14, 2009.

RESOLVED: That Delta College, through its duly authorized officers, makes application to the Liquor Control Commission for a Special License for the sale of beer and wine, for consumption on the premises to be in effect from 7:00 a.m., Saturday, February 14, 2009 and ending no later than 1:00 a.m. on Sunday, February 15, 2009 at the location and address that follows:

Delta College Planetarium and Learning Center
100 Center Avenue
Bay City, MI 48708

FURTHERMORE, That:

The Board of Trustees authorizes Barbara R. Webb, Director of Business Services, to make this application for Delta College. E. Selby made a motion to approve the recommendation with support from K. Higgs. Motion passed unanimously.

**COMMITTEE-OF-THE-
WHOLE
BA4738**

It is the recommendation of the Administration that the Board of Trustees approve the revisions to Senate Policy 1.012 General Education at Delta College and revisions to Senate Policy 8.060 Academic Graduation/Certification Requirements. E. Selby made a motion to approve the recommendation with support from E. Wacksman. Motion

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passed unanimously.

**ADMINISTRATIVE REPORTS
--PRESIDENT'S REPORT --
GIFTS TO THE COLLEGE**

Dr. Goodnow reported the following contributions for December 2008: the Foundation received \$225,830.00; Delta Public Broadcasting received \$89,650.00; for a monthly combined total of \$315,480.00. Total fiscal year gifts to date total \$820,799.00.

**PRESIDENT'S
ANNOUNCEMENTS**

- Winter semester began on Saturday, January 10. As of January 12, enrollments are at 110.84% of our credit hour goal. To date, 11,129 students have registered. 4,290 are enrolled in 12 or more credits. 6,839 have registered for 11 credits or less.
- Jack Crowell, Professor of Mathematics and Computer Science, has been selected as a recipient of the 2008 Michigan Campus Compact Faculty/Staff Service-Learning Awards. This is the highest annual award that Michigan Campus Compact bestows on faculty and staff in the state of Michigan.
- Congratulations to Bill Ketchum, Associate Professor of English. Bill has been selected to be the recipient of the 2009 Spirit of Dr. Martin Luther King Jr. Award. He is an active member of his community has been employed at Delta College in a variety of capacities since 1977.

The award, given annually to a Delta employee who exemplifies the spirit of Dr. King, will be presented at the 13th Annual Martin Luther King, Jr. Unity Luncheon which is scheduled for Monday, January 19, 2009, beginning at 11 am, at the Dow Event Center. Speakers are Dr. Eric Gilbertson, Saginaw Valley State University, and Rev. Larry Camel, New Birth Missionary Baptist Church.

Tickets are \$25.00 and available at the Delta College cashier's window.

- As expected, the Governor signed the New Jobs Training Bill prior to the holidays.
- In celebration and honor of African-American History next month the Planetarium Staff has developed a new program titled The Freedom Dipper that will be premiered in February at all of our 1:00 pm Saturday public shows. The night sky was particularly special to the Black slaves as they used the Big Dipper to help them navigate their way North. Participants will learn about the Underground Railroad including the Michigan portion that was used by slaves in search of freedom and leave the show singing the song "Follow the Drinking Gourd". The Planetarium Staff will also be using this show as part of a new learning program designed specifically for elementary children and teachers that will include interactive activities and role playing.

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This enhanced school program will last 1 ½ hours and be available on Wednesdays from February through the end of the current school year.

- Delta College's 50+...Just Like Gold Program has now been approved as an AARP site for their Driver Safety Program. This eight hour course will be offered at Delta's centers as well as the main campus seven times between April and November this year. Several Michigan insurance companies give an auto insurance premium reduction or discount to those who successfully complete the course.

TRUSTEE COMMENTS

E. Wacksman noted that she is also very disappointed in the actions of Mr. Higgs.

E. Wacksman said that the Great Lakes Film Festival was a great success.

K. Higgs said that he has filed a formal complaint with the IRS regarding the President's living situation at the Farmhouse. K. Higgs stated that in regards to the lawsuit he had filed, H. Vermilya contacted K. Higgs to represent him because he had represented H. Vermilya's brother in a similar lawsuit in Onaway.

K. Higgs made a motion to seek an Attorney General Opinion regarding the legality of the indemnification clause in the President's contract. R. Emrich seconded the motion so that a discussion could ensue. E. Selby stated that K. Higgs was subjecting the Board to extortion. R. Emrich agreed saying this is blackmail. The Board voted one (1) in favor of the motion and eight (8) against.

ADJOURNMENT

There being no further business, Board Chair Houston-Philpot adjourned the meeting at 9:20 p.m.

Respectfully submitted,

Leslie Myles-Sanders, Board Secretary

Andrea Ursuy, Recording Secretary

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