

DELTA COLLEGE
BOARD OF TRUSTEES SPECIAL MEETING
Delta College Main Campus – Board Room
Tuesday, December 9, 2014
5:00 p.m.

- BOARD PRESENT** R. Emrich, K. Houston-Philpot, K. Lawrence-Webster, J. MacKenzie, M. Nash, M. Rowley, R. E. Selby, R. Stafford, E. Wacksman
- OTHERS PRESENT** J. Goodnow, A. Brege, T. Brown (at beginning of meeting), E. Crane, L. Govitz (at conclusion of meeting), D. Lutz, E. Rae-O'Donnell, A. Ursuy
- ALL TO ORDER** Board Chair, R. Stafford, called the meeting to order at 5:08 p.m.
- APPROVAL OF AGENDA** Board Chair, R. Stafford, called for approval of the agenda. R. Emrich made a motion to approve the agenda with support from E. Wacksman. The agenda was approved as written.
- PUBLIC COMMENTS** Board Chair, R. Stafford, called for public comment.
- CLOSED SESSION TO DISCUSS SPECIFIC PENDING LITIGATION** R. E. Selby made a motion that the Board enter into closed session to discuss with our attorney trial and/or settlement strategy in the pending lawsuit Anklam v. Delta College, et al, pursuant to MCL 15.268(e), because discussion on the open record will be detrimental to our position, and also to discuss material exempt from disclosure under the attorney-client privilege, MCL 15.243(1)(g), pursuant to MCL 15.628(h). The motion was seconded by R. Emrich.

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

- R. Emrich - yes
- K. Houston-Philpot - yes
- K. Lawrence-Webster- absent (had not yet arrived)
- J. MacKenzie – absent (had not yet arrived)
- M. Nash - absent (had not yet arrived)
- M. Rowley - yes
- E. Selby - yes
- R. Stafford - yes
- E. Wacksman – yes

The closed session ended at 6:05 p.m.

R. Emrich made a motion that the Board accept Counsel's advice with regard to the case of Anklam v. Delta College. The motion was seconded by E. Wacksman.

Following discussion, R. Emrich moved the previous question to close debate. M. Rowley seconded the motion. Motion to close debate passed unanimously.

The results of the roll call vote on the motion to accept Counsel's advice with regard to the case of Anklam v. Delta College are as follows:

R. Emrich - Yes
K. Houston-Philpot – No
K. Lawrence-Webster- No
J. MacKenzie – No
M. Nash - No
M. Rowley – Yes
E. Selby – No
R. Stafford – Yes
E. Wacksman – Yes

Motion failed with a vote of 4 in favor and 5 opposed.

**CLOSED SESSION TO
DISCUSS SPECIFIC
PENDING LITIGATION
WITH LEGAL COUNSEL**

R. E. Selby made a motion to return to closed session to discuss the issue of litigation and/or settlement strategy in the matter of Anklam v. Delta College with Legal Counsel. The motion was supported by R. Emrich.

The results of the roll call vote on this motion are as follows:

R. Emrich - Yes
K. Houston-Philpot – Yes
K. Lawrence-Webster- Yes
J. MacKenzie – Yes
M. Nash - Yes
M. Rowley – Yes
E. Selby – Yes
R. Stafford – Yes
E. Wacksman – Yes

The vote to go into closed session passed unanimously.

The closed session ended at 6:16 p.m.

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K. Houston-Philpot made a motion to support Counsel's verbal recommendation with support from K. Lawrence-Webster.

The motion passed with a vote of 7 in favor, 2 opposed. R. E. Selby and J. MacKenzie voted in opposition to the motion.

ADJOURNMENT

There being no further business, Board Chair R. Stafford adjourned the meeting at 6:20 p.m.

Andrea Ursuy, Board Secretary