

DRAFT

**Delta College  
Board of Trustees Regular Meeting  
Delta College Board Room B-151  
Tuesday, August 13, 2024  
7:00 p.m.**

<b>BOARD PRESENT</b>	A. Baldwin, A. Clark, S. Gannon, B. Handley-Miller, D. Middleton, M. Nash, M. Rowley, M. Wood
<b>BOARD ABSENT</b>	M. Thomas
<b>OTHERS PRESENT</b>	R. Archer, A. Balan, R. Battinkoff, T. Brown, J. Carroll, A. Cramer, W. Childs, R. Curry, K. Dehne, J. Foco, M. Gavin, L. Govitz, S. Gregory, M. Haswell, A. Hernandez, E. Hoerauf, R. Hoerauf, S. Hoerauf, D. Hopkins, T. Johnroe, K. Katzer, A. Khalil, J. Kircher, G. Luczak, D. McQuiston, J. Mulders, K. Nelson, J. Perry, M. Pratt, S. Raube, P. Ross McClain, K. Schuler, N. Spencer, E. Stark, M. Stark, C. Stout, E. Suniga, K. Tacey, A. Ursuy, R. Willis, C. Wilson
<b>PRESS PRESENT</b>	None
<b>CALL TO ORDER</b>	Vice Board Chair Gannon called the meeting to order at 7:00 p.m.
<b>APPROVAL OF THE AGENDA</b>	<p>Vice Board Chair Gannon asked for a motion to approve the agenda.</p> <p>A. Clark made a motion to approve the agenda. B. Handley-Miller seconded the motion.</p> <p>Motion to approve the agenda passed unanimously.</p>
<b>PUBLIC COMMENT</b>	Vice Board Chair Gannon called for public comment.
<b>TREASURER'S REPORT</b>	<p>J. Foco said that the Board has received the financial statements for the month ended June 30, 2024.</p> <p>The College will finish in a net positive position overall. J. Foco said that the finance staff is close to completion of the close of the books for the 2023-2024 academic year. The audit is underway. Results will be reported to the Board in November.</p>
<b>CONSENT AGENDA</b>	<p>Board Vice Chair Gannon called for approval of the consent agenda.</p> <p>Alex Clark made a motion to approve the consent agenda. M. Rowley seconded the motion. The Board voted to unanimously approve the consent agenda resulting in:</p> <p>A. Acceptance of Minutes:</p>

D R A F T

1. Board Special Meeting, Evaluation and Compensation Committee, June 10, 2024
2. Board Dinner Meeting, June 11, 2024
3. Board Budget Hearing, June 11, 2024
4. Board Regular Meeting, June 11, 2024

B. Acceptance of Closed Meeting Minutes

1. June 11, 2024, Regular Board Meeting

**APPROVAL OF PURCHASE OF COMPUTERS AND ACCESSORIES FOR NURSING LABS FROM DELL (BA5550)**

It is the recommendation of the administration that the Board of Trustees approve the purchase of computers and accessories to support Delta College's Nursing Program from Dell in the amount of \$137,935.

A. Clark made a motion to approve the recommendation. A. Baldwin seconded the motion. Motion passed unanimously.

**APPROVAL OF PURCHASE OF REPLACEMENT LIGHTING ON DELTA COLLEGE MAIN CAMPUS FROM BTE ELECTRIC (BA5551)**

It is the recommendation of the administration that the Board of Trustees approve the purchase order in the amount of \$296,000.00 to BTE Electric for the replacement of lighting on the Delta College Main Campus in the N, G, P, and S Wings.

A. Baldwin made a motion to approve the recommendation. M. Wood seconded the motion. Motion passed unanimously.

**APPROVAL OF PURCHASE OF REPLACEMENT LIGHTING AT THE DELTA COLLEGE PLANETARIUM FROM NUECHTERLEIN ELECTRIC (BA5552)**

It is the recommendation of the administration that the Board of Trustees approve the purchase order in the amount of \$115,000 to Nuechterlein Electric for the replacement of lighting at the Delta College Planetarium.

A. Clark made a motion to approve the recommendation. A. Baldwin seconded the motion.

B. Handley-Miller asked if solar lights were considered. S. Gregory said at this time, no solar. This is an upgrade of current lighting with a change in direction of the lighting. The upgrade will result in energy savings.

Motion passed unanimously.

**STUDENT SUCCESS - OBSERVATORY UPDATE**

A student success report on the new observatory was given by Aurelian Balan, Professor; Kevin Dehne, Associate Professor; and Melissa Haswell, Associate Dean of the Science and Mathematics Division, with comments by students in the astronomy club. Observation nights are being planned. About 100 students are enrolled in astronomy courses this fall.

## D R A F T

### MASTER PLAN UPDATE

A master plan update was given by Ryan Archer, TowerPinkster Design Team Supervisor. He discussed several potential projects in the preliminary report. The master plan has a 10-year timeline.

M. Nash noted that the plan budget is nearly equivalent to our yearly budget. M. Gavin stressed that this is a planning document. The Administration does not plan to do all of these things. The plan will be prioritized to maximize student success and projects will be brought forward to the Board as appropriate.

### PRESIDENT'S REPORT

#### **Enrollment Report**

Registration is underway for fall semester. Currently, 8,225 students have registered. The College projected 75,084 contact hours for the fall semester, and we are at 109% of budgeted projection (82,028 contact hours). This will decrease after payment deadline, then usually rebounds. Fall classes begin on August 24.

#### **Information Sharing**

- Congratulations to Kara Jimenez, Professor in Lifelong Wellness. She was awarded a one-semester sabbatical for Fall 2025 to develop ancillaries and adopt or create an OER textbook for high enrollment courses within Lifelong Wellness to both foster continuity within the discipline and to develop content that fosters academic success and student retention.
- Congratulations to Dr. Mark Brown, Professor of English and Honors Director on his five years of service as advisor for PTK – XI Delta Chapter.
- Congratulations to Delta's art students and their advisor Andrew Rieder, Associate Professor, on the League for Innovation in the Community College 38<sup>th</sup> International Student Art Awards.
- On July 15, the Higher Learning Commission's Institutional Actions Council accepted the team report for Delta College as submitted! Congratulations to everyone who worked on the report.
- We learned last week that Delta's Information Technology and Computer Technology Renovation project was included in Public Act 121 of 2024, which is the overall state budget signed by Governor Whitmer in late July. The State will provide just over \$2.4 million of funding. We have estimated the total cost to be \$5.7 million, so Delta will be paying the remainder of the costs from our Plant Fund.

The current facilities were constructed in 1961 with only minor updates since. Renovations will fix heating, cooling and ventilation concerns and provide state-of-the-art computer lab and classroom spaces for multiple computer and business courses. Thank you to Steve Gregory, Tony Khalil, Jon Foco and Pam Clark for working hard to get the required planning paperwork submitted to the state.

- Late yesterday afternoon the telescope was completely installed in the observatory. Unfortunately, a malfunction occurred in one of the mechanical components. The manufacturer is fixing the component and will return next week to complete the installation.

## D R A F T

- Delta just signed a new 3+1 articulation agreement with Central Michigan University (CMU) for CMU's Bachelor of Science in Psychology. Psychology is a top 10 program selected by transfer students and CMU is one of Delta's top five transfer universities. This 3+1 agreement in psychology is unique for CMU and being offered as a pilot with Delta.
- A Memorandum of Understanding (MOU) between Saginaw Valley State University and Delta College was also signed recently. During a meeting between administrators and staff from both Delta and SVSU, it was decided that creating a MOU designed to enhance degree attainment and collaboration, would be beneficial for both institutions and our students. Delta and SVSU agreed to develop a reverse transfer process that will provide eligible students who transferred prior to degree completion, an opportunity to earn a Delta associate degree.

### Upcoming Events

- Great Lakes Bay Regional Chamber Summit – August 14, Valley Plaza Great Hall, Midland
- Fall Learning Days – August 19-21, President's Fall Address, August 20, 8:45 am
- Delta's Great Lakes Bay Employment & Apprenticeship Job Fair – October 24, 1-3 pm, Pioneer Gym
- Hispanic Community Leaders Meeting – August 29, 5pm, Downtown Saginaw Center
- NAACP Saginaw Branch's Annual Freedom Fund Banquet – September 22, 5 pm, Horizons Conference Center
- September Board Meeting – September 10, Downtown Bay City Center

### TRUSTEE COMMENTS

M. Wood thanked the astronomy club members and faculty for an excellent presentation on the observatory. He said that recently he was camping at a dark park up north and heard Professor Balan give an excellent talk.

M. Nash said that he appreciated the campus planning presentation. He added that he enjoyed the MCCA Summer Conference.

B. Handley-Miller congratulated all involved with the agreements with both SVSU and CMU. She said she loved the presentation on the observatory. B. Handley-Miller encouraged all to register to vote and to engage in civil discourse regarding the upcoming election. She said she enjoyed the campus planning presentation and looks forward to hearing the priorities of the plan moving forward.

M. Rowley thanked K. Schuler for her work in making arrangements for the Trustees to attend the MCCA Summer Conference.

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D. Middleton said she enjoyed the MCCA Summer Conference. She appreciates the opportunities for growth and networking. She said that the conference was a great reminder of how far ahead Delta College is with a lot of our initiatives.

D. Middleton said she is excited for the SVSU agreement. It is a great step in the right direction for a productive relationship. She said that she sees the observatory as an essential teaching tool to help our students see where they fit in our universe.

D. Middleton said that there are big changes coming to the state minimum wage and paid sick leave laws that will impact the College.

A. Baldwin thanked Dr. Gavin for his leadership. She said she is proud to be a part of the Delta College community. She said that Dr. Gavin was a speaker at the Saginaw African Cultural Festival on Friday. In addition, many Delta staff members were there including Dr. Ross McClain. She said it was great to be a part of that moment for our community.

A. Clark said that he recently attended a Latino Leadership group. A few of Delta College's employees were also in attendance. A. Clark suggested some sort of financial literacy training for our students.

**CHAIR COMMENTS**

S. Gannon said that she is proud to hear about the SVSU agreement. This is a great start in building a strong relationship.

She said that she enjoyed the observatory presentation and thanked the students for attending this evening.

**VOTE TO GO INTO  
CLOSED SESSION  
UNDER THE  
MICHIGAN OPEN  
MEETINGS ACT  
SECTION 8(1)(H) TO  
CONSIDER  
MATERIAL EXEMPT  
FROM DISCUSSION  
OR DISCLOSURE BY  
STATE LAW,  
SPECIFICALLY AN  
ATTORNEY-CLIENT  
PRIVILEGED LETTER  
UNDER THE  
MICHIGAN  
FREEDOM OF**

M. Wood made a motion to go into Closed Session Under the Michigan Open Meetings Act Section 8(1)(h) to Consider Material Exempt from Discussion or Disclosure by State Law, Specifically an Attorney-Client Privileged Letter Under the Michigan Freedom of Information Act Section 13(1)(g).

A. Baldwin seconded the motion.

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

- A. Baldwin – Yes
- A. Clark – Yes
- S. Gannon – Yes
- B. Handley-Miller – Yes
- D. Middleton – Yes
- M. Nash – Yes
- M. Rowley – Yes
- M. Wood – Yes

D R A F T

**INFORMATION ACT  
SECTION 13(1)(G)**

The Board voted unanimously (8-0) to go into closed session at 8:38 p.m.

The closed session ended at 9:03 p.m. and the Board returned to open session at that time.

**RESOLUTION TO  
CENSURE  
(BA5553)**

A. Baldwin made a motion to approve a censure resolution regarding comments A. Clark made about Pamela Pugh on social media. M. Nash seconded the motion.

A. Clark said that he feels that A. Baldwin should be prevented from voting on a resolution because she was a supporter of Pamela Pugh. Board Secretary Ursury responded that she was not aware of any basis that would require A. Baldwin to abstain.

A. Clark was provided with an opportunity to explain the posts he made regarding Pamela Pugh. He said that he made the posts more than a year ago. He said that the posts were used recently to discredit his support of another candidate. He added that his comments about Eric Mays were factual.

A. Clark said that the cease-and-desist letter was a “campaign tactic” that was never actually sent to Delta College or to Clark’s home. He said that people have “called my work to get me fired.”

M. Wood asked if A. Clark created the pictures that were included in the Facebook post. A. Clark said he did not.

B. Handley-Miller said that it bothers her that there are pictures of Delta College all over A. Clark’s Facebook page. Being a trustee carries responsibility. In addition, B. Handley-Miller said that she is very concerned about the use of the “jumpsuit orange” terminology. Delta College has been and continues to be a second chance PELL school. We support all students’ desire to be educated. B. Handley-Miller said that the comments imply that these students are “unredeemable.”

She added that A. Clark is constantly identifying as a representative of Delta College and the comments reflect negatively on Delta College.

M. Rowley said that as elected trustees we have a responsibility to rise above the 1<sup>st</sup> amendment. As trustees we have voluntarily chosen to be associated with and representatives of Delta College. Our communications should be civil. The statements made by A. Clark attack the person and not the campaign. It reflects badly on Delta College.

D. Middleton said that campaign season can be a polarizing time. We need to be civil and respectful of one another.

D R A F T

A. Baldwin said that she is concerned about Trustee Clark's attempt to deflect his behavior to her. She said that Clark's Delta affiliation is why people know him. She asked that he not include her in his comments or actions.

S. Gannon said that she had comments to share from Chair Thomas. When these posts were shared, Chair Thomas, President Gavin, and the College received several concerned phone calls from community members. Chair Thomas has been in communication with A. Clark about these posts. Following an initial conversation, A. Clark did add a disclaimer on his Facebook page noting that these were his personal views and not that of Delta College. Chair Thomas also wanted the Board to know that she is in support of this resolution.

The Board voted seven (7) in favor to adopt the resolution as follows. A. Clark abstained from voting.

Delta College Censure  
Resolution

A regular meeting of the Delta College Board of Trustees (the "Board") was held at the Delta College Main Campus, 1961 Delta Road, University Center, Michigan 48710, on August 13, 2024 at 7:00 p.m.

The meeting was called to order by Vice Chair, Stacey Gannon.

**Present:** Arshen Baldwin, Alex Clark, Stacey Gannon, Barb Handley-Miller, Diane Middleton, Mike Nash, Mike Rowley, and Michael Wood

**Absent:** Marcia Thomas

The following preamble and resolution was offered by member Arshen Baldwin and supported by member Mike Nash.

Whereas:

1. It has come to the Board's attention that Board Member Alexander S. Clark III made a social media post about Congressional candidate Dr. Pamela Pugh that states "Pugh smells like a stinker to me," adding in another post that "she had Councilman Eric Mays helping her who can't seem to stay out of jail. Dude is on probation again. Campaign colors should be jumpsuit orange 101."
2. Mr. Clark acknowledged that he made the social media posts quoted above.
3. It has also come to the Board's attention that Dr. Pugh posted on social media a July 31, 2024 cease and desist letter addressed to Mr. Clark, which attributes further statements to Mr. Clark.
4. During today's Board meeting, Mr. Clark was provided an opportunity to explain his statements.

Now, Therefore, Be It Resolved That:

D R A F T

1. The Board finds that the above-quoted social media posts by Mr. Clark are inappropriate, as well as the statements attributable to Mr. Clark in the cease-and-desist letter to the extent that he made those statements.
2. The Board urges Mr. Clark to refrain from engaging in similar conduct in the future.
3. All resolutions and parts of resolutions that conflict with any provision of this resolution are rescinded.
- 4.

Ayes: Arshen Baldwin, Stacey Gannon, Barb Handley-Miller, Diane Middleton, Mike Nash, Mike Rowley, and Michael Wood

Nays: None

Absent: Marcia Thomas

Abstained: Alex Clark

Motion Passed/Failed: Passed

  
Andrea Ursuy, Board Secretary

The undersigned, duly qualified and acting Board Secretary, certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board at a regular meeting held on August 13, 2024, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, PA 1976, as amended).

  
Andrea Ursuy, Board Secretary

**ADJOURNMENT**

There being no further business, Board Vice Chair Gannon adjourned the meeting at 9:43 p.m.

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Andrea Ursuy, Board Secretary