

**DELTA COLLEGE DISTRICT
BOARD OF TRUSTEES REGULAR MEETING
APPROVED MINUTES
TUESDAY, OCTOBER 9, 2007
BOARD ROOM – 7:00 P.M.**

- MEMBERS PRESENT** R. Emrich, K. Houston-Philpot, K. Higgs, T. Lane, J. MacKenzie, R. E. Selby, R. Stafford, E. Wacksman
- MEMBERS ABSENT** K. Lawrence-Webster
- OTHERS PRESENT** J. Goodnow, B. Allen, C. Atwood, B. Baker, P. Clark, C. Curtis, B. Diegel, B. Dumont, P. Graves, D. Halog, T. Kubatzke, J. Miller, S. Montesi, C. Morley, L. Myles-Sanders, R. Pfeiffer, L. Ramseyer, B. Rickey, P. Seidel, J. Stahl, K. Treadway, A. Ursuy, B. Webb, K. Wilson
- PRESS PRESENT** N. Smith (Midland Daily News), P. Brandt (Bay City Times), and J. Hall (WSGW)
- CALL TO ORDER** Board Chair R. E. Selby called the meeting to order at 7:11 p.m.
- PUBLIC COMMENTS** Board Chair Selby called for any comments from the audience.
- K. Higgs referred to the pending litigation (Higgs v. Delta College Board of Trustees) that he has filed against the Board and made an offer to withdraw his case and requests for reimbursement of out-of-pocket expenses if the Board would be willing to pass resolutions as part of the meeting agenda for October.
- K. Higgs suggested that the matter be discussed in open session because discussion of the matter would not negatively impact the College's financial position.
- E. Selby asked that the record reflect that the material that K. Higgs referred to was handed to Board Members just prior to the start of the meeting. He added that he did not feel it would be appropriate to act on the information at this meeting because the Board did not have sufficient time to review it. He added that he appreciates Mr. Higgs' offer to resolve the lawsuit. The energies expended on this matter are not relevant to the mission of the College. E. Selby said that he feels that the information presented by K. Higgs should be

reviewed by the counsel that has been retained by the Delta College Board of Trustees.

R. Emrich agreed that it would not be appropriate to make a decision on the materials presented by K. Higgs because there had not been sufficient time to review and added that he has reservations about parts of K. Higgs' proposed resolutions. He said that he would support a motion to have these resolutions on the agenda of the November Board of Trustees Meeting.

K. Higgs noted that the matter cannot wait until the November Meeting because it is scheduled for hearing on Monday, October 15, 2007 and added that he has amended the suit to add E. Selby and J. Goodnow as individual defendants because he believes that there have been intentional and deliberate violations of the law. E. Selby noted that he has no notice of a hearing to take place on Monday. L. Myles-Sanders confirmed that the College has received no such notice.

E. Selby noted that K. Higgs' resolutions had no second and were therefore not up for a vote.

ACCEPTANCE OF MINUTES

Board Chair Selby called for additions or corrections to the minutes of the Board Dinner Meeting and the Board Regular Meeting of September 11, 2007. T. Lane made a motion to accept the minutes. K. Houston-Philpot supported the motion. The minutes were accepted as submitted.

TREASURER'S REPORT

D. Lutz informed the Board that at the end of September the College is in a good cash position. She added that fall enrollments are strong. As noted at the September Board of Trustees Meeting, the College has recorded 50% of its budgeted tuition and fees as a result of enrollment from the fall semester. Enrollment is up 4% from this time last year. She added that she has reviewed the financial statements from the last month and has nothing new to report. T. Lane made a motion to accept the Treasurer's Report. E. Wacksman seconded the motion. The Treasurer's Report was accepted as submitted.

E. Selby asked if the budget passed by the State was just for October. D. Lutz said yes, the State's 30-day continuation budget agreement includes an October payment for operations funding for community colleges at the same level

as last October. It also includes payment of the August delayed payment which is very positive. It does not address funding beyond October.

**FINANCE
BA4634**

It is the recommendation of the Administration that the Board of Trustees approve the Delta College Five-Year Capital Outlay Master Plan for the State's 2009 fiscal year as requested by the State Budget Office. R. Emrich asked if the plan is significantly different than last year. L. Ramseyer responded that the major difference is that priority #2 has been modified. Last year it focused on upgrades to the Midland Center. This year, it has been modified to include the Saginaw Center as well. R. Emrich asked if we have sufficient dollars to match the State contribution if the Allied Health Project is funded. D. Lutz said that we do set aside dollars each year to fund projects such as these.

R. Emrich moved for approval with support from K. Higgs. The motion passed unanimously.

**FINANCE
BA4635**

It is the recommendation of the Administration that the Board of Trustees approve the South Campus Site Improvements project with a project budget of \$4,849,000 and authorize the Facilities Department and administration to proceed with detailed planning and final design, secure bids and award contracts to complete the work as outlined in the 2003 Campus Master Plan and the current project plans designed by JJR, LLC. T. Lane moved for approval with support from R. Emrich.

J. MacKenzie asked when JJR, LLC will be compensated. L. Ramseyer said that they are compensated on a percentage of completion basis. R. Emrich asked what quality control testing and observation is. L. Ramseyer responded that a third party firm is hired to conduct soil, pavement, and concrete testing to make sure that the quality of the work meets the specifications. R. Emrich asked what would happen if some of the project dollars were cut. L. Ramseyer said that some cuts in the project had already occurred prior to bringing it to the Board and cutting further would mean that additional innovative features of the project would have to be eliminated. K. Houston-Philpot asked what the history of actual expenses v. projected expenses is in relation to similar projects. L. Ramseyer said that similar projects in recent history have come in at or below budget. The aim is to come in below budget.

T. Lane noted that he supports this proposal as stated. This project is more than a new parking area. It is the opportunity for a new and innovative classroom space. This is a way for our students to experience learning in context.

R. Emrich moved the previous question. The motion passed unanimously.

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

Dr. Goodnow reported the following contributions for August 2007: the Foundation received \$68,462; Delta Public Broadcasting received \$54,391; for a monthly combined total of \$122,853. Total fiscal year gifts are \$406,743.

**PRESIDENT'S
ANNOUNCEMENTS**

On Wednesday, October 3, two performances of "Breaking Ice" kicked off the 2007-2008 President's Speaker Series to an over-capacity crowd for the 11 a.m. performance and a 3/4 full crowd for the 6 p.m. performance. It is estimated that nearly 500 people attended the performances! Feedback from the evaluation forms and Delta's faculty/staff has been extremely positive.

Breaking Ice was introduced in 1992 to inspire people to talk to each other about their differences. The performance itself is created using a structured model of improvisation by a highly trained group of artists with diverse backgrounds and worldviews. Every performance includes an element of undoing racism, while other social issues addressed in the past include cultural misunderstanding, homophobia and violence. Each Breaking Ice performance is followed by a facilitated dialogue that leads audiences through a process of creating possible solutions to complex interpersonal, social and institutional problems.

The "Breaking Ice" theater troupe stated that Delta College rated as one of their best campus performances; they were particularly impressed with the quality of questions and comments during the dialogue that followed the performance. "Your students really cared about the issues we presented and had excellent questions and comments," stated the director of "Breaking Ice."

Dr. Goodnow shared the achievements of some of Delta's faculty and staff:

- Dr. Nancy Vader-McCormick, Delta College Professor of Speech, was recently named a 2007 Outstanding Graduate of the University of Florida. The award, announced at the Community College Futures Assembly in Orlando, Florida in January, included nine other recipients chosen from a prestigious national panel from higher education. The Outstanding Graduate awards are only given out by the University of Florida' Institute of Higher Education every five years.
- Barbara Handley-Miller, Associate Professor of Speech, recently became the recipient of the General Motors (GM) Automotive Services Educational Program (ASEP) Instructor Award of Merit for the North Central Region.

GM and the International Association of GM ASEP colleges present the award to an outstanding GM ASEP academic instructor who has taught at least three consecutive or sequential GM ASEP academic courses. Handley-Miller was nominated by Tim Weiss, Delta ASEP Program Coordinator and Assistant Professor of ASEP and Automotive Services Technology, and will receive the award in November at the international conference in Nashville, Tennessee. The North Central Region covers 19 states, including Michigan.

- Raymond Pfeiffer, Professor of Philosophy recently had an article published in the Community College Humanities Review. The article is entitled "Confronting the Conflict of Cultures in the War on Terror."
- Peggy Barber, Delta College Professor of Lifelong Wellness, will receive the Alumni Achievement Award from Northern Michigan University's Alumni Association on Saturday, October 6. This is the first year the Alumni Achievement Award will be given. It was established to recognize an NMU alumnus/alumna who has notable professional achievements on a regional or local level.

- Tamie Grunow, Director of Human Resources has completed 40 hours of training to meet the requirements as a certified Mediator according to Michigan Court Rules 2.410 and 2.411 and the State Court Administrative Office (SCAO). This approach is used by Community Dispute Resolution Centers throughout Michigan for resolving conflicts and problem solving your workplace issues. Assistance is provided for employees, supervisors, work teams, and employee/supervisor conflict resolutions.

For the last month, employees from across the College have been coming up with creative ways to help us learn our values. As part of the Delta College Values Contest, faculty and staff submitted nearly 50 acronyms, poems, and creative slogans. The contest entries were displayed in the windows of the LLIC from Monday, September 24 – Monday, October 1. Employees were asked to cast their vote for the “winning” contest entry. Over 119 faculty and staff members voted and when a tie resulted from the initial vote, 158 employees voted to break the tie!

Congratulations to Jim Kinnaman, Artist in the Institutional Advancement Office, who wrote the winning Delta College Values Contest entry!

Jim’s entry, **Delta Is The Leader In Real Life Education**, is a great tool to help all of us to learn our values.

This contest is just the first step in a process to ask our employees to have conversations about our values. The goal is to make sure that every member of the Delta College faculty and staff LIVES our values every day!

The Delta Collegiate newspaper and staff recently received numerous awards from the Michigan Press Association/Michigan Collegiate Press Association's Annual Better Newspaper Contest. The students will be recognized during the MPA's winter convention in Grand Rapids, Feb. 1-2, 2008.

Non-deadline story
- 2nd Place, Ryan Weiss-"Be Our Guests"

Feature Story

- 2nd Place, Patrick Johnson - "Trading Wheels for Wings"

- 3rd Place, Whitney Gronski - "Pedal Power"

Sports Column

- 3rd Place, Ben Murphy - "Playing from Behind"

Column Writing

- 2nd Place, Whitney Gronski - "Watching Real Deaths"

News, Special Section

- 2nd Place, Staff - "Galactic Celebration"(for the Planetarium anniversary)

Online Newspaper

-2nd Place

**OTHER
ANNOUNCEMENTS**

As part of the President's Report, Trevor Kubatzke, Vice President of Student and Educational Services, gave an update from the recent Michigan Community College Association (MCCA) Fall Board of Directors meeting. He reported on MCCA positions on upcoming Michigan legislation and an innovative workforce development bond financing program developed in Iowa.

CLOSED SESSION

It was moved and supported to move into closed session for the purpose of consulting with counsel regarding litigation. The vote was 7/1/1 to go into closed session with a roll call vote as follows:

Robert Emrich	Yes
Kim Higgs	No
Kimberly Houston-Philpot	Yes
Thomas Lane	Yes
Karen Lawrence-Webster	Absent
Jack MacKenzie	Yes
R. Earl Selby	Yes
Robert Stafford	Yes
Edith (Dee-Dee) Wacksman	Yes

The Board voted unanimously to come out of closed session (8-0).

**COMMITTEE OF THE
WHOLE**

K. Houston-Philpot made a motion to ratify the earlier filing of a counter claim against Mr. Kim Higgs. E. Wacksman

BA4636

supported the motion. The motion passed with a vote of 7 in favor and 1 abstention.

COMMITTEE OF THE WHOLE

BA4637

K. Houston-Philpot made a motion to ask counsel, Anne McClorey McLaughlin, to request a court ruling that the Board may meet in closed session to discuss this case with its attorneys, out of the presence of the opposing party, Mr. Higgs. J. MacKenzie supported the motion. The motion passed with a vote of 7 in favor and 1 abstention.

ADJOURNMENT

There being no further business, Board Chair Selby adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Leslie Myles-Sanders, Board Secretary

Andrea Ursuy, Recording Secretary