



**BOARD OF TRUSTEES
REGULAR MEETING
MINUTES
May 16, 2011
Oakland Community College
2480 Opdyke Road
Bloomfield Hills, MI 48304**

1. GENERAL FUNCTIONS

1.1 Call to Order and Welcome

The meeting was called to order at 7:07 p.m. by Chair Kuhn.

1.2 Attendance

Present

Thomas Kuhn, Chair
Daniel Kelly, Vice Chair
Pamala Davis, Secretary
Thomas Sullivan, Treasurer
Shirley Bryant, Trustee
Sandra Ritter, Trustee
Anna Zimmerman, Trustee

Absent

None

1.3 Approval of Agenda

Trustee Davis requested the “Audit Committee” be added to the agenda. Chair Kuhn placed this item under New Business 6.6.

Trustee Ritter indicated in January or February OCC’s redesign was addressed, and the Board was informed they would receive follow-up documentation. Chair Kuhn suggested the topic be addressed under “Board Member Reports and Comments.”

Chair Kuhn called for approval of the agenda as amended.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None

Motion Carried

1.4 Public Comments/Petitions

None

1.5 Student Presentation

None

1.6 Approval of April 18, 2011 Regular Board Meeting Minutes

Trustee Bryant MOVED to accept the minutes of the April 18, 2011 regular board meeting.
Trustee Zimmerman seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

2. CHANCELLOR'S REPORT

2.1 Chancellor's Comments

Dr. Meyer presented two items before the Board. The first concerned current legislative developments. As discussed at the previous meeting, the Governor does not want state appropriations reduced to community colleges, the senate is proposing a three to four percent reduction, and the house a fifteen percent reduction. The resolution is proposed to be addressed and resolved tomorrow that will also include consideration of universities and the K-12 system.

Chancellor Meyer next addressed the Economic Outlook Luncheon that took place on April 28th, co-sponsored by OCC. Two important developments were shared at the event. First, the escalating loss of jobs has reversed. In 2009, Oakland County lost approximately 60,000 jobs. During 2010, the loss of jobs lessened to nearly 1,000. For 2011, about 11,000 jobs are expected to be created in Oakland County, with the hope of an additional 10,000 jobs annually for the next couple of years.

In 2009, the unemployment rate was 12.9 percent. In 2011, it is now under 10 percent and should slowly creep downwards. Dr. Meyer said we need to congratulate ourselves in supporting Oakland County and the Michigan New Jobs Training Program.

2.2 Staff Reports

Dr. Steve Reif, President of the Royal Oak/Southfield campus, presented campus highlights. Topics discussed included student statistics, academic programs/highlights, challenges, special campus activities and programs, and community outreach.

2.3 Introduction of New Staff

Andrew Hillberry, Chief Information Officer, introduced Codruta Trifan, financial aid specialist with the Student Financial Resources and Scholarships Department at the Auburn Hills campus.

3. ACADEMIC AND STUDENT AFFAIRS

3.1 Academic Senate Reports

None

3.2 Student Reports

Orchard Ridge student representative Ksenia Malkina provided an update to the Board on a variety of the student activities at the campuses. She also thanked the Board for the opportunity to serve as student representative. Chair Kuhn, on behalf of the Board, extended his thanks to Ms. Malkina.

3.3 Academic Initiatives

No report

4. COLLEGE RESOURCES

4.1 Personnel Recommendations

Trustee Bryant MOVED to approve the Personnel Recommendations. Trustee Sullivan seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

4.2 Business and Finance

4.2.1 Treasurer's Report

The Board of Trustees reviewed the Treasurer's Report.

4.2.2 General Fund Budget Status Report

The Board of Trustees reviewed the General Fund Budget Status Report. Vice Chancellor Clarence Brantley informed the Board that we appear to be on target with our revenue and property tax projections.

4.2.3 2011-2012 Proposed General Fund Budget

Trustee Davis MOVED, for purposes of discussion, to adopt the 2011-12 General Fund Budget in the amount of \$152,517,020 incorporating tuition rates [6 percent increase] effective in the Fall, 2011 semester of:

\$ 70.70 per SCH	In-district students
\$119.70 per SCH	Out-of-district students
\$168.00 per SCH	Out-of-state students

Trustee Bryant seconded.

Trustee Kelly stated he cannot support the budget as presented because it includes a six percent increase in tuition. He also noted there should be a greater separation in tuition rates between the in-district students and the out-of-district/state students.

Mr. Brantley explained at the last special Board meeting, two charts were presented: one showed what the budget adjustments would look like if the six percent or lesser tuition rate increase was not approved. A second chart showed the budget if there was a disproportionate increase in out-of-district tuition compared to in-district while staying within the seven percent limit. If the Board approved a zero percent increase, the capital budget would have to be reduced by \$2,785,288. To address a zero increase, Mr. Brantley said he would have to reduce the capital budget further and adjust throughout the fiscal year.

Trustee Sullivan MOVED, for the sake of discussion, to amend the six percent increase and propose a 5 percent tuition increase for in-district students and a 7.49 percent increase for out-of-district and out-of-state students giving a budget of \$2,612,272, which is \$173,016 less than the 6 percent increase across the board. Trustee Bryant seconded.

Trustee Zimmerman asked for the purpose of Trustee Sullivan's motion. Trustee Sullivan responded he made the motion based upon Trustee Ritter's comments about a greater differential between in-district and out-of-district and out-of-state tuition rates. Trustee Zimmerman questioned since Administration is working on the redesign process and to help in the deficit, is that reasonable right now to do that because it puts the College in a deficit. Trustee Sullivan stated from the proposed budget it would be a deficit of \$173,016.

Trustee Zimmerman asked Mr. Brantley about the impact of Trustee Sullivan's motion. Mr. Brantley stated the College would have to reduce capital expenditures by \$173,016. Trustee Zimmerman questioned whether this would be the time to change the proposed tuition increase considering the ongoing redesign process. Once Administration has things in order, they can come back and the Board can make a more definitive decision when it comes to the finances.

Trustee Sullivan stated the only reason he made the amendment was to address the concerns of Trustee Ritter regarding the disparity between the in-district and out-of-district/state tuition rates.

Trustee Ritter thanked Trustee Sullivan for his consideration in amending the motion. However, she plans to vote no because she stated we knew a year or two ago that our revenue would decline due to the reduction in property taxes, and she just can't bite this bullet. Therefore, she will not support any tuition increase.

Trustee Davis inquired if there was an increase when would this go into effect, and Chancellor Meyer responded in the fall.

Trustee Kelly inquired whether there was anything that requires a tuition increase has to be adopted at the time of the budget. Mr. Brantley replied that there isn't, but the reason it is done is to have the information to the printer in time for publishing the fall student catalog.

Trustee Kelly summarized that from what he can discern from the budget presentations, the cuts that have been made are by basically juggling a couple of positions, maybe not retaining empty positions as quickly as could have been, and then basically cut our capital improvements to make up the rest of the difference. He believes that's the bulk of the changes made to the budget. He would like to keep the incentive on Administration and the Board to reduce the budget without having to tap into the fund balance more than what we are already doing this year. We need to reorganize the College first and then figure out how much it costs to run it. He has not yet been presented with the evidence that we need a six percent increase. Trustee Kelly said when he looked at the chart of all of the Michigan community colleges, he believes Oakland County taxpayers and what they pay based upon the SEVs of the entire county are not at the bottom of what their contributions are to the community college across the state.

Trustee Davis agrees with Trustee Kelly with regard to not approving the proposed six percent tuition increase.

Trustee Kuhn called for the vote on Trustee Sullivan's amendment [five percent increase].

AYES: Sullivan

NAYS: Bryant, Davis, Kelly, Kuhn, Ritter, Zimmerman Motion Failed

Trustee Kuhn called for the vote on the original motion [six percent increase].

AYES: Bryant, Sullivan, Zimmerman

NAYS: Davis, Kelly, Kuhn, Ritter Motion Failed

Trustee Zimmerman suggested we come back in a month to address the budget. Trustee Bryant stated she didn't think it would be fair to have the staff wait another month.

Trustee Davis MOVED to approve the budget without any tuition increases. Trustee Kelly seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

4.3 College Facilities

4.3.1 ASC Testing Lab Renovation Woodland Hall Highland Lakes Campus OCC Project No. PF-HL11-011

Trustee Davis MOVED to grant authority to the College's Construction Manager, George W. Auch Company, for the purpose of entering into a construction contract for the above-referenced project at a projected cost of \$81,000. Trustee Ritter seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

4.3.2 The Board of Trustees reviewed the Progress Report – Construction Projects.

4.4 Contracts and Purchases

CONSENT CALENDAR – CONTRACTS AND PURCHASES

Items 4.4.1 to 4.4.2 listed below on the Consent Calendar – Contracts and Purchases were enacted by one motion. No separate discussions of these items were requested.

Trustee Bryant MOVED to approve items 4.4.1 to 4.4.2 on the Consent Calendar - Contracts and Purchases. Trustee Davis seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

4.4.1 Lab Supplies and Specimens College-Wide

The Board of Trustees approved the use of Ward's Natural Science and Fisher Scientific to provide various science products at a cost not to exceed \$120,000 each for the 2011-2012 fiscal year.

4.4.2 Wiring Installation Services
College-Wide

The Board of Trustees approved a contract with Professional Communications Services (PCS) to provide installation services at a cost not to exceed \$100,000 for the 2011-2012 fiscal year.

END OF CONSENT CALENDAR – CONTRACTS AND PURCHASES

5 UNFINISHED BUSINESS

None

6 NEW BUSINESS

6.1 2011-2012 Board of Trustees Regular Meeting and Conference Schedule

Trustee Zimmerman MOVED to approve the 2011-2012 Board of Trustees Regular Meeting and Conference Schedule dates as presented, to approve the attendance of Board members at the conferences noted, and to authorize related travel expenses. Trustee Davis seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

6.2 Board Goals

Chair Kuhn asked if there was any discussion or if the Board would like to put this over for another month.

Trustee Davis MOVED to table this item to the June meeting. Trustee Sullivan seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

Trustee Ritter asked if the Chair could provide some direction and information to the Board regarding this item. Chair Kuhn said he will; as well as he suggested Board members email their suggestions to all trustees, and he will put them together for discussion at the June Board meeting.

6.3 Personnel and Employment Policy (first reading)

Trustee Sullivan MOVED to accept the proposed changes in Board policy 2.2.2. and the reconciled policies and procedures so related. Trustee Bryant seconded.

Trustee Sullivan stated that at today's special Board meeting, consultant George Potter answered a lot of questions, and Trustee Sullivan feels the Board would be moving in the right direction in approving this motion. He further stated that according to Mr. Potter, OCC is unique as the only community college that doesn't give authority to the Chancellor/President/CEO regarding personnel and employment.

Trustee Ritter stated she does not support this and would like her comments listed verbatim in the minutes: *"1. Currently, the Chancellor has the responsibility needed to recommend the hiring, appointment, promotion, or discharge of his/her direct reports/employees, this includes salary. 2. Chancellor profile: 'Chancellor is the chief executive officer and administrative officer of the Board of Trustees.' Subject to Board overview, the Chancellor provides leadership for the College to fulfill its stated educational mission by providing for effective organization and administration. According to the present Chancellor's self-assessment, he has done this with the present organization and under the current policy. 3. The change in policy overreaches Chancellor's responsibilities - eliminates checks and balance; gives sole power to one individual, - one person now controls 80% of the budget. 4. Lastly, I do not trust that the current Chancellor will be able to fulfill the responsibilities in this policy in a manner that will improve the operation of the College."*

Trustee Bryant stated this is the fourth time the Board has considered this policy. Over 17 sessions were spent with a consultant who spent 17 sessions of four hours each making all the arguments why this is good management practice. We just had a consultant today who said this was best management practice. Trustee Bryant continued that when some Board members said we have never done this before, why are we doing it now, the consultant's point was it gives us an opportunity to continue with quality improvement for the College. When the question was asked how does it improve the College, the response was that it helps take the politics out of the personnel decisions. Trustee Bryant's final point was that we have a commitment from the Chancellor that he will provide a monthly personnel monitoring report to the Board, so we will know what is happening. The Chancellor is our employee, we have him here to make these decisions; that's what his job description states, and she will be supporting this policy.

Trustee Zimmerman stated she does not have a problem with the personnel policy. She has been doing some homework with other community colleges, especially those of our size. Unfortunately, she was unable to be at the special meeting today to hear Mr. Potter's comments on personnel. Most of the community colleges our size, in talking with them, have a check and balances in their policy when it comes to personnel and especially to the executive cabinet. Some boards have it that the executive cabinet information comes forward to the Board and some do not. Ms. Zimmerman would not be opposed if we had some check and balances in place beside a periodic report that would come forth to the Board.

Trustee Davis said she feels the Chancellor should be able to pick his team. She stated that none of us will know if this is going to work until we put it in place. She is not sure she is in favor of this, but would like to give the Chancellor a chance.

Trustee Davis MOVED to amend and add a sentence to policy 2.2.2.B: "Any changes in the contracts for individuals reporting directly to the Chancellor must be approved by the Board."

Trustee Zimmerman seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None

Motion Carried

Trustee Kelly offered as a friendly amendment to add under policy 2.2.2, subsection B., to the new second paragraph, "The Board delegates to the Chancellor, or his/her designee, the authority to hire appoint, promote, or discharge employees *consistent with the current College budget* unless specifically reserved for the Board in the current collective bargaining agreement." The Board approved this as a friendly amendment.

In reviewing back-up history documentation, Trustee Kelly noted the policy was to be reviewed by an attorney, and he inquired if this was done. Chair Kuhn responded it was reviewed by the College's attorney.

Trustee Kelly referenced the struck out paragraph in 2.2.2., under subsection B, that reads "Special contracts are those granted for services over and above normal duties and may only be entered into when recommended by the Chancellor and approved by the Board of Trustees." He questioned by striking this out, is this is now stating we no longer have special contracts? Chancellor Meyer responded that all the suggested changes will be given to legal for review and comment. Trustee Kelly would like legal counsel to review the suggested amendments to all of the policies presented under this Board item.

Trustee Kelly concluded by saying he agrees with this form of governance. He strongly believes whether it is a CEO or a Chancellor, they should have the authority to operate their college or company. He believes this Board's checks and balances lies with the budget and the Board controls what the Chancellor does, not only by renewing contracts or giving evaluations, but also that we control and look out for the taxpayers of the county through the budget. If we control the budget properly, and we hire the right Chancellor to enforce those budget procedures and policies that were made, then the Board has effectively done their job.

Chair Kuhn asked if there would be any objections from the movers of this motion for a friendly amendment to add the following language on page two of policy 2.2.2. [first paragraph]: "The Board of Trustees shall be informed of changes in personnel through a *monthly regular monitoring report format approved by the Board.*" There were no objections.

Trustee Ritter inquired who the legal counsel was who reviewed the policies back in 2009. The Chancellor confirmed it was Plunkett Cooney. Chair Kuhn stated that it was also Plunkett Cooney who originally drafted this language back in 2009.

Chair Kuhn called for the vote of the first reading.

AYES: Bryant, Davis, Kelly, Kuhn, Sullivan, Zimmerman

NAYS: Ritter

Motion Carried

6.4 Cabinet Contracts

Trustee Sullivan MOVED to authorize the Chancellor to continue discussions with the attorneys and with the Cabinet and bring back recommendations to the Board on or before the June 2011 meeting. Trustee Kelly seconded.

Trustee Zimmerman asked who put the contract together, and Dr. Meyer replied the College's attorney, Butzel Long. She then asked who assisted the Chancellor with this, and Dr. Meyer replied Chair Kuhn and himself. Trustee Zimmerman commented she is disturbed by the contract. She indicated we have individuals here who are professionals, they are PhD individuals, and this contract basically ties their hands on everything. If we were dealing with individuals who are not educated and there were questions of performance that we haven't seen, that is one thing. Individuals won't be able to do anything unless it is approved by the Chancellor. She believes in a leadership position, the Chancellor is here to provide leadership to the individuals and not control. She sees this as nothing but a control mechanism. If the Board doesn't think this is a bad contract, then Ms. Zimmerman would suggest not only the executive staff have this contract, but every individual who is an executive when it comes to the presidents, the vice presidents, and the chancellor should adhere to this contract.

Trustee Ritter pointed out that the Vice Chancellor of Academic and Student Affairs' contract is different from the proposed contract. She questioned if once the Vice Chancellor's contract has expired, will he be under the same contract as the rest of the Cabinet. Chancellor Meyer responded that according to Trustee Sullivan's motion, this contract is just a template to start discussions, it is not an end point. Dr. Meyer said he will return with a contract after discussions with the full Cabinet. Dr. Holcomb remains under his current contract until the end of the employment period before switching over.

Trustee Davis noted she was looking at the old contracts, and she wanted to provide her perspective. She doesn't know what the compelling reason is to change the contracts from what they were. She told the Chancellor that he has the right to assemble his own team. On January 24, 2011, there was a motion to take the contracts to an attorney to review the language, and the Board approved the motion for the purpose to check language in the contract. The contract then came back as a four or five page document, which was completely different. Trustee Davis doesn't feel like the Board was dealt with fairly in this matter. She feels that the current contract that is put together is the wrong approach for the following reasons: 1) there is no due process for the Cabinet, 2) they should not have any less job security than the Chancellor and be able to appeal to the Board, 3) the Chancellor already has the authority not to renew someone's contract, 4) not allowing to teach option, 5) and not giving an allowable transition period, an at-will contract where they can be let go with or without notice, 6) the MPSEs contribution has been eliminated, 7) waiving someone's right to a lawsuit, and 8) arbitration rights have been changed. She doesn't know why the old contract can't be extended.

Trustee Davis asked Trustee Kelly if he wasn't supposed to attend a meeting with the attorney regarding contracts. Trustee Kelly responded he did not attend such a meeting. Trustee Sullivan thought the Board directed Chair Kuhn and Trustee Kelly to go to the

attorneys regarding the Chancellor's contract. Trustee Zimmerman said it was in reference to the Chancellor's and the Cabinet's contract. Ms. Zimmerman asked when the Cabinet contracts expire, and Trustee Davis responded in 2012. The Chancellor interjected it is an auto-renewing contract. It only ends with intention, not neglect.

Trustee Ritter asked where the contract came from for the Vice Chancellor of Academic and Student Affairs. Dr. Meyer replied he believes it was a carry forward from some existing contracts in the past.

Trustee Sullivan read the minutes from the January 24, 2011 minutes under 6.3 Executive Employment Agreements:

"Trustee Ritter MOVED to authorize the Board Chair to meet with Oakland Community College's legal counsel and report back on contract. Trustee Davis seconded.

After discussion, Trustee Ritter withdrew her motion.

Trustee Sullivan indicated that the first motion presented under item 6.3. was not addressed. Trustee Sullivan MOVED for the motion as presented. Chair Kuhn stated that since this was done by the previous Chair in the absence of the Board not having a December meeting, he would propose the following language: "MOVE to ratify the action of the Board Chair in giving notice that OCC will offer employment agreements with respect to the following administrators by no later than June 30, 2011 to be effective on July 1, 2011 based on the terms to be determined by the Board of Trustees after review of the contract language by legal counsel:

*Clarence E. Brantley
Andrew Hillberry
Catherine Rush
Patricia Dolly
Gordon May
Steven Reif
Jacqueline Shadko*

*Vice Chancellor for Administrative Services
Chief Information Officer
Chief Human Resources Officer
Campus President, Auburn Hills
Campus President, Highland Lakes
Campus President, Royal Oak/Southfield
Campus President, Orchard Ridge"*

Trustee Bryant seconded.

Trustee Zimmerman raised the point that it is the Chancellor's Cabinet, that they work for him and not for the Board, and that it is more proper for him to put the contracts together than the Board.

AYES: Bryant, Davis, Kelly, Kuhn, Sullivan, Zimmerman

NAYS: Ritter

Motion Carried

Trustee Kelly MOVED to authorize the Board Chair to meet with Oakland Community College's legal counsel and report back on the contract. Trustee Bryant seconded.

Trustee Sullivan asked for a friendly amendment for the Vice Chair to be included in meeting with legal counsel.

Trustee Sullivan MOVED to call the question as amended, and Chair Kuhn called for the vote.

AYES: Bryant, Sullivan, Zimmerman

NAYS: Davis, Kelly, Kuhn, Ritter *Motion Failed*

Chair Kuhn asked for a vote on the standing motion.

AYES: Bryant, Kelly, Kuhn, Sullivan

NAYS: Davis, Ritter, Zimmerman *Motion Carried*

Trustee Davis stated it was not her intent to come tonight and beat up on the Chancellor. She feels the Chancellor has done a wonderful job and he wants to do what is right. Everyone should be supporting him for us to move this College forward. Ms. Davis does feel that he should have his own team, but that everyone should be treated fairly. If the motion is to have something brought back to the Board next month, then she looks forward to seeing it.

Trustee Kelly said at the time of the agenda review meeting, this item was put on as an action item. Apparently there is further discussion, and the Chancellor is continuing to meet with the Cabinet. From his standpoint, Mr. Kelly believes that is completely appropriate. He continued eventually you have to have the document in front of you to review. It's an at-will contract. From Trustee Kelly's understanding and looking at the previous contract, it wasn't even quite clear that it was an at-will contract, and it has to be an at-will contract. When we talk about the policy changes as it relates to the Cabinet, there is a safety provision about returning back to a faculty. He's unsure if that applies to all of the Cabinet members, it may or may not. The bottom line is if the Chancellor is looking to retain employees and recruit new employees, then this has to be a fair contract, otherwise we are not going to get top-quality people or retain the top-quality people we already have. It is an at-will contract that you can play with the terms, but at the end of the day you have to at least give the Chancellor the opportunity at least in regard to the Cabinet to have the power to control them, hire, fire, promote, and certainly be clear that it is an at-will contract. In that sense, Trustee Kelly will support the agreement and will await the changes recommended by the Chancellor.

Trustee Zimmerman replied she is not opposed to an at-will contract, but the Board went through this last year when the contracts came forward and the Board members were put in a situation where they were not comfortable dealing with it. She would expect not to repeat the same history again and that this information regarding the contract would be dealt with the Chancellor and his Cabinet and then come before the Board. Ms. Zimmerman feels it should not have come before the Board until it was worked out with the Cabinet.

Trustee Kelly suggested if any trustees have concerns with the contract, they should notify the Chancellor as he is actively discussing this matter with the Cabinet. Trustee Kelly said he is

looking to adopt a contract in June, so concerns should be forwarded to the Chancellor for him to present at upcoming discussions with the Cabinet.

Chair Kuhn stated he did ask the Chancellor to provide the contract template to the Board for this meeting. Even though Chair Kuhn realized the Chancellor was in continuing discussions with the Cabinet, he felt it was important for the Board to have this as soon as possible.

Chair Kuhn called for the vote.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None Motion Carried

6.5 Chancellor Evaluation Instrument

Chair Kuhn stated he is not sure how we can deal with the chancellor evaluation instrument right now since the Board has not yet completed it.

Trustee Bryant noted for those who were unable to stay for the entire special meeting, Trustee Davis led those in attendance through the entire document and changes and suggestions were made, so she believes we are ready to compile it and have something to look at for the next meeting. Trustee Davis said she will make the changes on the document and forward it to Chair Kuhn and the Chancellor.

Chair Kuhn said another special meeting will be scheduled to address this matter. Trustee Kelly suggested the Board may wish to have a closed session without the Chancellor in attendance. Chair Kuhn asked the Chancellor to check with the attorneys as to language that will be provided to him by Trustee Kelly for a closed meeting.

6.6 Audit Committee

Trustee Davis MOVED that future Audit Committee meetings be indefinitely suspended until such time as the Board can revisit the policy. Trustee Ritter seconded.

Trustee Davis said the Board spoke to George Potter about this last year. There was an honest mistake about the committee in that there were not to be outside people on the committee. Also, there were only supposed to be two meetings a year, before the audit and after the audit. Trustee Davis stated she has supporting documents in this regard. She also stated George Potter said it should be just trustees on this committee, not individuals from the outside community.

Trustee Ritter indicated there were rumblings regarding the purpose of the Audit Committee, but she believes it may just be the lack of understanding of what is going on. She currently has no information as to its original purpose and looks forward to learning more.

Trustee Zimmerman pointed out she is a member of the Audit Committee and is concerned about the direction the committee is going. She is fearful if it isn't monitored by the Board, it will turn into a private board inside the Board. In her opinion, the Audit Committee as it stands now is inappropriate. It was clearly stated by Mr. Potter it should be only trustee members limited to three. Ms. Zimmerman continued the question arises as to when the Audit Committee should be disbanded, so as not to offend any sitting community members. She believes it was previously discussed when the audit is completed this time, we would suspend the committee. Trustee Zimmerman said we are trying to correct things in this institution, and this is one of the things we need to correct.

Chair Kuhn asked if someone would make a motion to postpone Trustee Davis' motion until the next meeting and also put the Audit Committee policy on the next agenda and request the attendance of the chair of the Audit Committee. Trustee Bryant supported the motion.

Trustees Davis and Zimmerman were opposed to having the Audit Committee Chair in attendance, as he should not be part of the decision. Trustee Bryant heard Mr. Potter's advice regarding the Audit Committee, but that doesn't mean the Board needs to adhere to it. It seems this Board picks and chooses what they feel Mr. Potter says is right and what he says is wrong. The Board doesn't want to listen to his recommendations for the personnel policy, but yet we should listen regarding the audit committee policy. We as a Board need to discuss the pros and cons of this. Ms. Bryant said her background is citizen participation, and she doesn't understand what is so wrong with having community members on the committee.

Trustee Sullivan stated he feels the Audit Committee has been extremely well served by the community members. Dr. Sullivan admitted he is not as knowledgeable as community members who are CPAs and auditors. He feels that auditing is an ongoing process that can't necessarily be limited to two meetings a year. The Audit Committee was appointed by the Board, and the Chair should have the right to come forward and address the Board.

Trustee Davis feels the Audit Committee sometimes thinks they have power that they don't have. We certainly want their opinion, but it is our job as the Board to take responsibility, as well as the Chancellor.

Trustee Zimmerman addressed the Board regarding the whistleblower matter, which this Board then gave back to Administration to provide the Board with the recommendations of how to handle it, not the Audit Committee. This Audit Committee has taken the responsibility of the whistleblower and done what they think should be done. This is inappropriate as the responsibility was given to Administration. Ms. Zimmerman continued there were some issues with the audit that were administrative concerns. That is why we have a CEO to clean up any administrative issues that are in the operations of this College, not an Audit Committee. This should have been kicked to the Board and the Board should then direct Administration to have it cleaned up, and we need to check it has been done. The Audit Committee does not have the responsibility of anybody in the Cabinet to report to them, the Chancellor, or anyone else, and it is getting out of hand.

Trustee Ritter stated it is difficult to comment as she has not factual information to go on. She suggested we obtain the information and discuss it. Possibly then we could invite the Audit Committee Chair to a meeting.

Trustee Sullivan does not disagree with Trustee Ritter's statement. He did want to clarify to Trustee Zimmerman regarding the whistleblower policy that this was brought up prior to Trustee Sullivan or Zimmerman ever being on the Audit Committee. Anne Scott was the Chair of the committee at that time. There was a long process of the whistleblower materials, dinners, televised conference presentations, etc. So, this is something that just wasn't pulled out of the air. The auditors last year did recommend that OCC probably should have a whistleblower policy. Dr. Sullivan agrees it should be in Administration's hands. However, there has been a long history and a long period of time that a lot of resources and time was spent with the Audit Committee before he was on it dealing with the whistleblower policy, and he has stacks of materials on this topic.

An additional issue Trustee Zimmerman raised is member terms are beginning to expire and it is time to re-elect officers on the Audit Committee.

Chair Kuhn believes a couple terms are up in July; and Trustee Sullivan's term expires in September.

Trustee Sullivan believes as a member of the committee, the Board Chair appoints the members of the committee. Trustee Zimmerman responded that the Chair appoints Board members for the committee. Trustee Sullivan stated that the committee then makes recommendations to the Board for the community members. Chair Kuhn asked Secretary Foster to forward the policy to the Board.

Trustee Sullivan withdrew his motion to postpone.

Trustee Davis amended her motion to discuss the Audit Committee at the June Board meeting. Trustee Sullivan seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None

Motion Carried

7 COMMUNITY COMMENTS

7.1 Board Member Reports and Comments

Trustee Ritter commented she attended the Waterford Business Recognition Breakfast at the Highland Lakes campus, which was a great venue and everything looked very nice. She received a lot of positive compliments about OCC from fellow attendees and students.

Trustee Ritter voiced her opinion that in addition to the regular Board meetings being taped, other Board meetings should be taped also for transparency. She cited the last two special budget meetings and tonight's special meeting really show how the Board works.

Trustee Davis expressed her concerns regarding the Cabinet contracts. She suggested that the the Cabinet and Chancellor negotiate the contracts and the Board to stay out of it for now.

Trustee Ritter asked for a summary report for each of the redesign sections. Chancellor Meyer distributed a thumb drive to each of the trustees with the back-up documentation requested by Trustee Ritter regarding redesign. Chair Kuhn will place this item on next month's agenda for discussion.

7.2 Organizations and Associations

None

8 ADJOURNMENT

Trustee Bryant MOVED to adjourn the meeting, and Trustee Davis seconded.

AYES: Bryant, Davis, Kelly, Kuhn, Ritter, Sullivan, Zimmerman

NAYS: None

Motion Carried

Chair Kuhn adjourned the meeting at 10:05 p.m.

Respectfully submitted,

Cherie A. Foster

Date

Thomas Kuhn, Chair

Pamala M. Davis, Secretary



OAKLAND COMMUNITY COLLEGE®

ACTION

BOARD AGENDA ITEM 4.1
May 16, 2011

PERSONNEL RECOMMENDATIONS

APPROVED: OCC Board of Trustees on May 16, 2011

_____ May 17, 2011

FACULTY

Appointment

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Annual Salary</u>	<u>Benefits Cost*</u>	<u>Effective</u>	2011-2012 Fiscal Year <u>Budget</u>
Bolak, Theodore G.	English Teaching Faculty – English	AH	\$56,986	\$27,160	09/01/11	X
Chudnof, Daniel R.	Business Administration Teaching Faculty – Business	HL	\$56,986	\$27,160	09/01/11	X
Barkell, Nina P.	Health Professions and Technologies Teaching Faculty – Nursing	HL	\$64,900	\$30,931	09/01/11	X
Maly, Angelika R.	Health Professions and Technologies Teaching Faculty – Nursing	HL	\$64,900	\$30,931	09/01/11	X
Pryor, Thomas E.	Communications/Humanities Teaching Faculty – English	HL	\$59,404	\$28,312	09/01/11	X
Stanley, Kurt E.	Science Teaching Faculty - Biology	HL	\$55,291	\$26,352	09/01/11	X

*Note: The average cost of FICA, retirement and fringe benefits for full-time employees is 47.66% of annual base salary per the College budget

FACULTY

Appointment (continued)

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Annual Salary</u>	<u>Benefits Cost*</u>	<u>Effective</u>	<u>2011-2012 Fiscal Year Budget</u>
Baugh, John P.	Computer Information Systems Teaching Faculty – Computer Information Systems	OR	\$56,986	\$27,160	09/01/11	X
North, Dennis E.	Fine and Performing Arts Teaching Faculty – Theatre	OR	\$56,986	\$27,160	09/01/11	X
Schade, Peter M.	Fine and Performing Arts Teaching Faculty – Graphic Design	OR	\$59,404	\$28,312	09/01/11	X
Selameh, Aydeh	Mathematics Teaching Faculty – Mathematics	RO/SF	\$56,986	\$27,160	09/01/11	X

*Note: The average cost of FICA, retirement and fringe benefits for full-time employees is 47.66% of annual base salary per the College budget

FACULTY

Annual Contract Appointment

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Salary</u>	<u>Benefits Cost*</u>	<u>Effective</u>	2011-2012 Fiscal Year <u>Budget</u>
Weideman, Terry A.	Exercise Science and Technology Teaching Faculty – Exercise Leadership	HL	\$59,404	\$28,312	09/01/11 – 06/27/12	X
Piepenburg, Gail M.	Fine and Performing Arts Teaching Faculty – Ceramics	OR	\$59,404	\$28,312	09/01/11 – 04/30/12	X
Hilu, Jamie M.	English As a Second Language Teaching Faculty – English As a Second Language	RO/SF	\$59,404	\$28,312	09/01/11 – 06/27/12	X
Paulson, Alan D.	Humanities Teaching Faculty - Ceramics	RO/SF	\$59,404	\$28,312	09/01/11 – 06/27/12	X

*Note: The average cost of FICA, retirement and fringe benefits for full-time employees is 47.66% of annual base salary per the College budget

FACULTY

Transfer

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Annual Salary</u>	<u>Benefits Cost*</u>	<u>Effective</u>	2011-2012 Fiscal Year <u>Budget</u>
Stotts, Edward L., Jr.	Social and Behavior Science Teaching Faculty – Mental Health/Social Work (from Non-Teaching Faculty, Counseling, RO)	AH	\$70,554	\$33,626	09/01/11	X

*Note: The average cost of FICA, retirement and fringe benefits for full-time employees is 47.66% of annual base salary per the College budget

CLASSIFIED – FULL-TIME

Transfer

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Salary</u>	<u>Benefits Cost*</u>	<u>Effective</u>	<u>2010-2011 Fiscal Year Budget</u>
Seppala, Ellen M.	Human/Life Sciences Secretary (from full-time Secretary, Physical Education, OR)	OR	\$20.41/hr.	\$20,233	06/01/11	X
Young-Collins, Crystal J.	Enrollment Services Student Services Specialist (from full-time Student Services Specialist, Counseling, SF)	RO	\$20.63/hr.	\$20,451	05/31/11	X

*Note: The average cost of FICA, retirement and fringe benefits for full-time employees is 47.66% of annual base salary per the College budget

CLASSIFIED – PART-TIME

Appointment

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Salary</u>	<u>Benefits Cost*</u>	<u>Effective</u>	<u>2010-2011 Fiscal Year Budget</u>
Kurtycz, Amy L.	Natural Science Paraprofessional-Landscape Technology (replacement due to employee transfer)	AH	\$18.53/hr.	\$5,456	06/06/11	X
Young, Kristina Y.	Academic Support Center Paraprofessional – Academic Support Center (replacement due to employee resignation)	AH	\$18.53/hr.	\$5,456	06/06/11	X
Rzeznik, Kerry K.	ACCESS Secretary (replacement due to employee promotion/transfer)	HL	\$13.49/hr.	\$3,972	06/13/11	X
Misner, Janet M.	Business Office Business Office Specialist (replacement due to employee retirement)	OR	\$18.53/hr.	\$5,456	06/06/11	X

*Note: The average cost of FICA, retirement and fringe benefits for part-time employees is 28.31% of annual base salary per the college budget

MAINTENANCE

FULL-TIME

Transfer

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Salary</u>	<u>Benefits Cost*</u>	<u>Effective</u>	<u>2010-2011 Fiscal Year Budget</u>
Hayes, Scott C.	Operations and Maintenance Custodian (from Custodian, Operations and Maintenance, OR)	AH	\$14.98/hr.	\$14,850	05/22/11	X
Phillips, Sonja K.	Operations and Maintenance Custodian (from Custodian, Operations and Maintenance, OR)	AH	\$20.45/hr.	\$20,273	05/22/11	X
Lutz, Steven C.	Operations and Maintenance Custodian (from Custodian, Operations and Maintenance, OR)	HL	\$18.71/hr.	\$18,548	04/25/11	X
Ostrom, Elizabeth R.	Operations and Maintenance Custodian (from Custodian, Operations and Maintenance, AH)	HL	\$14.98/hr.	\$14,850	05/22/11	X

*Note: The average cost of FICA, retirement and fringe benefits for full-time employees is 47.66% of annual base salary per the College budget

SEPARATIONS

<u>Name</u>	<u>Department</u>	<u>Campus</u>	<u>Effective</u>	<u>Reason for Separation</u>
Harris, Patricia A. (08/04/04)	English Teaching Faculty - English	AH	05/06/11	Resignation
Pantone, Rodney J. (09/29/86)	Mechanical Systems and Plant Operations Maintenance C	AH	05/05/11	Separation
Souter, Dennis G. (09/05/85)	Library Non-Teaching Faculty – Librarian	AH	08/31/11	Retirement
McCall, Maurice H. (08/05/91)	Enrollment Services Registrar	DO	06/30/11	Retirement