



**BOARD OF TRUSTEES
REGULAR MEETING
MINUTES
January 17, 2012
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 7:00 p.m. by Chair Kuhn.

1.2 Attendance

Present

Thomas Kuhn, Chair
Daniel Kelly, Vice Chair (arrived 7:11 p.m.)
Pamala Davis, Secretary
Thomas Sullivan, Treasurer
Shirley Bryant, Trustee (arrived 7:03 p.m.)
Sandra Ritter, Trustee
Anna Zimmerman, Trustee

Absent

None

1.3 Approval of Agenda

Trustee Zimmerman MOVED to approve the agenda. Trustee Ritter seconded.

Trustee Davis stated at the January 5, 2012 special meeting, the Board voted and approved the Chancellor's employment contract as presented and to vote at the regular meeting to have the Chair execute the contract. Accordingly, Ms. Davis came prepared to vote tonight to have the Chair execute the contract that was approved at the January 5, 2012 meeting.

Trustee Sullivan noted he would like to make sure all of the trustees are in attendance for the approval of the execution of the Chancellor's contract. He indicated as Trustee Bryant is not well this evening if necessary we would move this item forward, but also wanted to make sure Trustee Kelly was in attendance.

Trustee Zimmerman said in reference to the Chancellor's contract, she spoke to Trustee Kelly, and Trustee Kelly was not stating that there could not be any changes to the contract.

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

NAYS: None Motion Carried

1.4 Public Comments/Petitions - None

1.5 Student Presentation - None

1.6 Approval of December Board Meeting Minutes

1.6.1 Approval of December 13, 2011 Special Meeting Minutes

Trustee Bryant MOVED to accept the minutes of the December 13, 2011 special Board meeting. Trustee Zimmerman seconded.

Trustee Ritter noted she was not in attendance at this meeting.

AYES: Bryant, Davis, Kuhn, Sullivan, Zimmerman

NAYS: None Motion Carried

1.6.2 Approval of December 13, 2011 Regular Meeting Minutes

Trustee Zimmerman MOVED to accept the minutes of the December 13, 2011 regular Board meeting. Trustee Bryant seconded.

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

NAYS: None Motion Carried

2. CHANCELLOR'S REPORT

2.1 Chancellor's Comments

In the interest of time, Chancellor Meyer deferred his time for the two presentations scheduled this evening.

2.2 Staff Reports – No report

2.3 Introduction of New Staff

RO/SF President Steven Reif introduced Thomas Hayman, a new faculty member of the Mathematics Department.

President Jacqueline Shadko introduced Dr. Phyllis Curtis-Tweed, the new Academic and Student Services Dean at the Orchard Ridge Campus.

3. ACADEMIC AND STUDENT AFFAIRS

3.1 Academic Senate Reports

Chair Kuhn welcomed the new College Academic Senate Chair Shawn Dry, who indicated he had no report to present this evening.

3.2 Student Reports

Auburn Hills Campus President Patricia Dolly was pleased to inform the Board that MiVida Burrus was chosen as the keynote speaker at the February Achieving the Dream Student Success conference in Dallas.

Thanking everyone for this opportunity and for being so dedicated to student success, Ms. Burrus said this is a wonderful opportunity for her.

Ms. Burrus provided an update to the Board on various campus student activities.

3.3 Academic Initiatives

Chancellor Meyer again deferred this time to the evening's two presentations.

4. COLLEGE RESOURCES

4.1 Personnel Monitoring Report

4.1.1 The Board of Trustees reviewed the revised Personnel Monitoring Report.

On behalf of the Board, Chair Kuhn congratulated Mary Jane Lucisano who is retiring from OCC after 23 years as a business office specialist at the Auburn Hills Campus. Ms. Lucisano shared with the Board how she started working for OCC and expressed she hates to leave and will miss her job.

4.1.2 Faculty Recommendations – None to report

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.

4.2.3 2012-13 Budget Outlook

Vice Chancellor of Administrative Services Clarence Brantley presented a 2012-13 preliminary budget presentation to the Board. Topics addressed included discussion of revenue projections, including property taxes, state appropriations, and tuition and fees. Expenditures were also covered, including salary and wages, fringe benefits, and operation expenditures. Mr. Brantley identified the need for further direction regarding tuition rates, health insurance contributions, and negotiated salary and wages.

4.3 College Facilities

Trustee Ritter requested item 4.3.5 be removed from the Consent Calendar.

CONSENT CALENDAR – MAINTENANCE PROJECTS

Items 4.3.1 through 4.3.4 listed below on the Consent Calendar – Maintenance Projects were enacted by one motion. No separate discussions of these items were requested.

Trustee Sullivan **MOVED** to approve items 4.3.1 through 4.3.4 on the Consent Calendar – Maintenance Projects. Trustee Zimmerman seconded.

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

NAYS: None Motion Carried

| 4.3.1 <u>Project Name</u> | <u>Projected Cost</u> |
|---|-----------------------|
| Selective Interior/Exterior Door Replacements Campus Wide <u>Auburn Hills Campus</u> OCC Project No. PF-AH12-004 | \$569,400 |

| 4.3.2 | <u>Project Name</u> | <u>Projected Cost</u> |
|-------|---|-----------------------|
| | Electrical Transformer and and Switchgear Replacement Student Center <u>Highland Lakes Campus</u> OCC Project No. PF-HL11-016 | \$271,600 |

| 4.3.3 | <u>Project Name</u> | <u>Projected Cost</u> |
|-------|---|-----------------------|
| | Elevator Evaluation/Replacement Levinson Hall <u>Highland Lakes Campus</u> OCC Project No. PF-HL11-006 | \$268,800 |

| 4.3.4 | <u>Project Name</u> | <u>Projected Cost</u> |
|-------|--|-----------------------|
| | Elevator Evaluation/Replacement Student Center <u>Highland Lakes Campus</u> OCC Project No. PF-HL11-005 | \$267,800 |

END OF CONSENT CALENDAR – MAINTENANCE PROJECTS

| 4.3.5 | <u>Project Name</u> | <u>Projected Cost</u> |
|-------|--|-----------------------|
| | Boiler Evaluation – High Temp System Primary/Secondary Conversion Building E <u>Orchard Ridge Campus</u> OCC Project No. PF-OR11-019 | \$719,300 |

Trustee Ritter MOVED to approve the Boiler Evaluation – High Temp System Primary/Secondary Conversion Project in Building E at the Orchard Ridge Campus. Trustee Zimmerman seconded.

Trustee Ritter inquired if OCC is granting authority to Auch on these projects, how do we ensure they are abiding by OCC bid request policies? Mr. Brantley responded our Director of Facilities is in charge of overseeing the bid process from start to finish.

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

NAYS: None Motion Carried

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

4.4 Contracts and Purchases

Trustee Ritter requested item 4.4.1 be removed from the Consent Calendar.

CONSENT CALENDAR – CONTRACTS AND PURCHASES

Items 4.4.2 through 4.4.5 listed below on the Consent Calendar – Contracts and Purchases were enacted by one motion. No separate discussions of these items were requested.

Trustee Sullivan **MOVED** to approve items 4.4.2 through 4.4.5 on the Consent Calendar - Contracts and Purchases. Trustee Ritter seconded.

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

NAYS: None Motion Carried

4.4.2 2012-2015 Dispatch Agreement between Oakland Community College and Oakland County Sheriff's Department College-Wide

The Board of Trustees approved the 2012-2015 Police Dispatch Service Agreement between the County of Oakland and Oakland Community College at a cost not to exceed \$370,092, and authorized the Secretary of the Board of Trustees to sign the Resolution authorizing the College to execute the agreement.

4.4.3 Contract with dSpace, Inc. Economic and Workforce Development

The Board of Trustees approved the use of dSpace, Inc. for training services at a cost not to exceed \$180,000 for training delivered through June 30, 2012.

4.4.4 Contract with ETAS, Inc. Economic and Workforce Development

The Board of Trustees approved the use of ETAS, Inc. for training services at a cost not to exceed \$240,000 for training delivered through June 30, 2012.

4.4.5 Contract with The MathWorks, Inc. Economic and Workforce Development

The Board of Trustees approved the use of The MathWorks, Inc. for training services at a cost not to exceed \$400,000 for training delivered through June 30, 2012.

END OF CONSENT CALENDAR – CONTRACTS AND PURCHASES

4.4.1 AMATROL Turbine Learning System, Software Licenses and Training Auburn Hills Campus

Trustee Ritter MOVED the Board of Trustees approve the use of Applied Technology Systems, Inc. for the purchase of the AMATROL system, educational software including licenses, and instructor training at a cost not to exceed \$86,500. Trustee Zimmerman seconded.

Trustee Ritter inquired why there were no bids for this item. President Dolly responded Applied Technology Systems, Inc. was the only known source for this item.

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

NAYS: None Motion Carried

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

6.1 Execution of Chancellor's Contract

Trustee Kelly MOVED to approve the contract as presented before the Board tonight. Trustee Zimmerman seconded. Chair Kuhn clarified as an item of information this contract differs slightly from the contract passed on January 5, 2012 because it deletes a travel request the Chancellor had previously made, and he has graciously withdrawn his interest in that travel request.

Trustee Davis stated if the Chancellor wanted to withdraw the travel request, he should have done so a week or two ago. This is a matter of principle. This doesn't have anything to do with the Chancellor, but for the Board to do the right thing. The Board took a vote and it was decided negotiations had ended. Tonight the Board was to vote on the contract that was negotiated on January 5th, and she doesn't feel the Board should be deviating from that. With regard to the contract currently on the table, Trustee Davis stated she will not be approving it.

Trustee Sullivan cited the original motion that was included in the Board's January meeting packet: "Move the Board of Trustees authorize the Board Chair to execute the Chancellor's contract as approved at the January 5, 2012 special meeting." Trustee Kelly has now made a motion for a different contract. The motion at the January 5th meeting read: "Move to approve the substance of the proposed Chancellor employment contract

and authorize the attorney to make any minor necessities (formatting and stylist change), not substantive in nature, and to vote on the authorization for the Board Chair to execute the agreement at the regular Board meeting on January 17th.” Dr. Sullivan stated he came to the meeting tonight to vote on the execution of the contract, not to renegotiate it. He believes the Board has a moral dilemma – they had an agreement and voted on it, which was approved by the Board, and the Board has spoken.

Trustee Davis said it is the principle, and she was quite surprised this even came up. The Board came to a decision, and she finds it very disappointing trying to change it at the last minute.

Trustee Ritter stated the following: “The concerns I have regarding this contract should not be interpreted as lack of support for Chancellor Timothy Meyer. My concerns are with the provisions in the contract that have an adverse impact on the governance of the College and the fiduciary responsibilities of each Board member. Other concerns are with: The length of the contract and the ‘evergreen/roll-over provision.’ The effective date of the contract is January 1, 2012. Currently, the Chancellor has a contract that is in place until June 30, 2012. The ‘new’ contract replaces the original and becomes retroactive to January 1, 2012. The economic provisions, perks and benefits are excessive and not defensible in our College that is struggling to be fiscally responsible.”

Trustee Sullivan stated again that at the January 5th meeting the Board voted for a contract, and at that time Trustee Sullivan said he made a comment as to whether the Board was negotiating in good faith or playing games. To change the contract at the eleventh hour and take out a provision the Board already voted on seems to him feels like playing games. He continued we are not even at the point of negotiating as we have already negotiated. We have the contract. All we are here to do today is to give authority to the Chair to execute the contract with the Chancellor and move on with the business of OCC.

Trustee Kelly stated a contract is not a contract until it is signed. He agreed the contract was negotiated at our prior meeting, and we agreed to end negotiations and agreed on the contract. He stated he contacted Chancellor Meyer this morning regarding the business travel clause. He stated he missed this clause when reviewing the contract until Trustee Ritter brought it to the Board’s attention at the January 5th special meeting. It is his understanding the Chancellor is voluntarily withdrawing that request. Trustee Kelly continued he would like to talk about the substance of the contract, which financially doesn’t significantly change for the Chancellor with regards to the terms of his current existing contract. He wants to get rid of the reference to perks, and this contract is intended to give the Chancellor security. He went on that if the Board wishes to terminate the Chancellor without cause, there will be a significant penalty to the Board. Trustee Kelly concluded he believes this is a good contract.

Trustee Sullivan said that during the January 5th special meeting, both Mary Ann McGee (OCCFA President) and Trustee Ritter referenced the travel issue. That was the meeting when the contract was supposed to be discussed and questions asked, and Dr. Sullivan asked Trustee Kelly why he didn't address the travel issue at that time. Instead of moving forward, he feels like the Board is moving backward.

Trustee Zimmerman remarked that she and Trustee Kelly were the only two Board members interested in discussing the contract at the special meeting. She feels the Board is wasting time going back and forth and, therefore, called the question.

Trustee Ritter clarified she also wished to discuss the contract.

Chair Kuhn called the question.

AYES: Bryant, Kelly, Kuhn, Sullivan, Zimmerman

NAYS: Davis, Ritter

Chair Kuhn called for the vote on Trustee Kelly's motion.

AYES: Bryant, Kelly, Kuhn, Sullivan, Zimmerman

NAYS: Davis, Ritter

Trustee Davis stated since the contract is approved, she would like to retake the vote to make it unanimous.

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

NAYS: Ritter

6.2 College Brain Trust Presentation

Dr. George Boggs, Project Leader and Point of Contact, for the College Brain Trust addressed the Board regarding his company's proposal to provide consulting services to OCC in order to strengthen college operations and organization, academic, and financial structures in order to improve student success. CBT is a comprehensive community college consulting firm that customizes expert teams to meet client college needs. Their consultants consist of former CEOs, senior administrators, and faculty who have dedicated their lives to serving community colleges. Their projects normally deal with organizational assessments, reorganizations, strategic and master planning, financial realignment, Board workshops, internal governance reviews, compensation studies, and accreditation issues.

In addition to pointing out some of OCC's strengths and weaknesses, Dr. Boggs also detailed some of the challenges OCC will be facing; i.e., significant budget shortfalls through 2025 and needs to review its resource allocation model to ensure scarce resources are effectively utilized; to implement program review across all college areas and create tools to evaluate future program needs; and complete a comprehensive review and revision of academic policies and procedures, just to name a few.

CBT provided a two-year plan. Some of the first-year tasks include enhancing data capacity and application; gathering information from benchmark colleges; clarifying lines of authority, reporting and accountability; and establishing program review criteria and tools to evaluate future program needs. A few two-year tasks noted include reviewing and updating college budget allocation model with a focus on student success; developing a performance appraisal system for administrators, and recommending measures for maintaining a balanced budget and continued fiscal health.

In conclusion, Dr. Boggs stated CBT will work with OCC leadership and the appropriate college groups on solutions and an implementation timeline for recommendations. CBT Team leaders will meet with the Chancellor's Cabinet to clarify expectations and determine timelines, as well as meet with the College community to answer questions and solicit input. CBT is committed to the continued success of OCC.

6.3 OCC Smoking Policy (First Reading)

Trustee Ritter MOVED the Board of Trustees approve the first reading of the proposed "Smoking in College Facilities" Policy and Procedure 2.2.4(C), to be renamed "Smoking on College Property." Trustee Bryant seconded.

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

NAYS: None Motion Carried

7. COMMUNITY COMMENTS

7.1 Board Member Reports and Comments

Trustee Davis congratulated Ms. Burrus for being selected as keynote speaker for ATD Student Success Conference.

7.2 Organizations and Associations – No report

8. ADJOURNMENT

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

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

NAYS: None Motion Carried

Chair Kuhn adjourned the meeting at 8:50 p.m.

Cherie A. Foster

Date

Thomas Kuhn, Chair

Pamala M. Davis, Secretary