



**BOARD OF TRUSTEES
REGULAR MEETING
MINUTES
April 22, 2014
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 Vice Chair Sullivan.

1.2 Attendance

Present

Thomas Sullivan, Vice Chair
Thomas Kuhn, Treasurer
Shirley Bryant, Trustee
Sandra Ritter, Trustee

Absent

Pamala Davis, Secretary
Daniel Kelly, Chair
Christine O'Sullivan, Trustee

1.3 Approval of Agenda

Trustee Bryant MOVED to amend the agenda to reverse the order of Community Comments and place item 7.1 Board Member Reports and Comments as item 7.2 and Labor Organizations and Associations as item 7.1. Trustee Kuhn seconded.

Trustee Ritter inquired as to Trustee Bryant's purpose for the amendment. Trustee Bryant noted this is the Board's meeting, and she feels the Board should have the opportunity to comment at the end.

AYES: Bryant, Kuhn, Ritter, Sullivan

NAYS: None

Motion Carried

Vice Chair Sullivan stated as some Board members are absent this evening who have indicated they would like to be part of the discussion and voting for legal services, he MOVED to table item 5.1 Legal Services to the May Board meeting. Trustee Bryant seconded.

Trustee Ritter said she will support the motion, but she is looking for the legal parameters requested at the previous Board meeting. It was noted the parameters were attached to the Board item in the packet.

Vice Chair Sullivan asked for a motion to approve the amended agenda.

Trustee Kuhn MOVED to approve the amended agenda. Trustee Ritter seconded.

AYES: Bryant, Kuhn, Ritter, Sullivan

NAYS: None Motion Carried

1.4 Public Comments/Petitions

Gerry Faye, Orchard Ridge Campus faculty, shared an editorial article from *The New York Times* entitled, "The College Faculty Crisis." The article dealt with replacing full-time professors with part-time instructors.

Gillian Talwar, Raquel Garcia Anderson, Areli Valle, Andy Lopez Gonzalez and Miriam Cuevas addressed the Board regarding tuition rates for out-of-state student immigrants and how it affects DACA students.

1.5 Student Presentation – None

1.6 Approval of March Minutes

1.6.1 Review of March 18, 2014 Special Meeting Minutes

Trustee Bryant MOVED to approve the March 18, 2014 Special Meeting Minutes. Trustee Kuhn seconded.

AYES: Bryant, Kuhn, Ritter, Sullivan

NAYS: None Motion Carried

1.6.2 Review of March 18, 2014 Regular Meeting Minutes

Vice Chair Sullivan MOVED to approve the March 18, 2014 Regular Meeting Minutes. Trustee Bryant seconded.

Trustee Ritter requested a correction be made on page three in the fourth paragraph. Trustee Ritter then withdrew her request when asked how she wanted the sentence in question to read.

AYES: Bryant, Kuhn, Sullivan

NAYS: Ritter

Motion Failed

2. CHANCELLOR'S REPORT

2.1 Chancellor's Comments

Dr. Meyer noted there was a good turnout for the Scholarship Luncheon hosted by the OCC Foundation, and shared several photos of the event. More than 300 scholarships totaling \$155,000 were awarded to students.

Dr. Meyer informed the Board that Anthony J. Filippis, President & CEO of Wright Filippis, has been chosen as OCC's 2014 Alumnus of the Year. Mr. Filippis obtained an associate's degree in Business from OCC.

Dr. Meyer provided an update regarding the Faculty Separation Incentive Plan, noting a negotiated agreement was reached between Administration and OCCFA. One of the particulars is individuals can come back and teach as adjuncts. He also shared a cartoon forwarded to Administration from a faculty member depicting Bugs Bunny stating, "not enough carrots" in response to the one-year salary incentive being offered.

2.2 Staff Reports – "Tuition, DACA, and Dreamers" Tracy Schauff, attorney with Fragomen Worldwide

Vice Chancellor of External Affairs Sharon Miller reported last month the College convened a community-based task force to discuss international student tuition at OCC. The task force was very well attended by members of the community, including representatives from the Chaldean Community Foundation, Central Multicultural Lafamilia, the Asian Pacific Islander Association, Michigan United, the Oakland County ACLU Legal Committee, an immigration law firm, members of business and industry, students, parents, potential students, as well as OCC counselors, faculty, foreign student advisors, Cabinet members, and administrators, totaling 35 people in attendance. Ms. Miller noted the topic of international students is very complex and continually changes. During the task force meeting, one topic emerged: DACA (Deferred Action for Childhood Arrivals). This is a group of children who were brought into the U.S. by their parents without proper immigration status. Ms. Miller introduced Tracy Schauff, who is an immigration attorney with Fragomen Worldwide.

Ms. Schauff provided the Board with an overview of DACA, their current status, and other immigration implications for the College related to the work of the task force.

Dr. Meyer thanked the task force that discussed this complex social issue. This matter goes unresolved at the Federal level and has a lot of local interest. Dr. Meyer suggested next month we revisit our tuition practice. Administration will provide further

documentation, including some of the things attorney Schauff identified of what other institutions are doing.

Trustee Kuhn asked Administration provide this information ahead of time to the Board so that the Board knows what the options are, including having those who are residents pay in-district fees as opposed to having it based on some legal issue of whether they happen to be a citizen or not.

Trustee Ritter said she tried to go back over the discussion and asked how did the effort to make sure students pay their fair share turn into an international incident. She said the Board didn't talk about U.S. residency; we talked about county residency, whether or not they were paying taxes to the county. She said this was never discussed – all the Board was looking at was increasing the tuition for various segments. She opined she believes this happens because the Board does not have all of the information all of the time. She said now they look stupid.

Dr. Meyer asked Ms. Schauff how many community colleges have dissected this matter to this extent. Ms. Schauff said this is a current discussion not just with community colleges, but also with major universities. These individuals are now becoming more vocal and are asserting their rights and demanding policy, and Ms. Schauff believes that is why it is even a bigger topic now than it was last year.

Trustee Ritter inquired prior to OCC raising its tuition, was it a problem. Ms. Schauff said she couldn't speak to that. Trustee Ritter said she needs to know if it had been a problem in the past and the Board didn't know about it or is it now a problem because of raising the tuition.

Ms. Miller replied the tuition category is the same for DACA students then as now; they are classified as out-of-state. The issue is the perceived rate of increase not any change in status. Ms. Miller believes the DACA status wasn't elevated to anyone's awareness until this year.

Vice Chair Sullivan thanked Ms. Schauff for her presentation and expertise.

2.3 Introduction of New Staff - None

3. **ACADEMIC AND STUDENT AFFAIRS**

3.1 Academic Senate Reports

College Academic Senate Chair Shawn Dry provided his monthly report to the Board. Some of the topics covered were the minor-aged, dual enrollment students; the meet and greet event; Assessment Day for faculty in collaboration with the Office of Curriculum and Student Learning; recommended changes to the mark and grade system; Senate's role in academic planning, and the veteran affairs committee.

Mr. Dry asked the Board to think about what things they would like covered in his report.

The Board thanked Mr. Dry for his report.

3.2 Student Reports – Ms. Blanca Fox, Student Representative from the Royal Oak/
Southfield Campus

Ms. Fox presented her report to the Board on student life activities at the campuses.

3.3 Academic Initiatives – None

4. COLLEGE RESOURCES

4.1 Personnel Monitoring Report

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

4.1.2 Faculty Recommendations

Trustee Bryant MOVED to approve the revised Faculty Recommendations Report. Trustee Kuhn seconded.

AYES: Bryant, Kuhn, Ritter, Sullivan

NAYS: None Motion Carried

4.2 Business and Finance

4.2.1 Treasurer's Report

The Board had no questions regarding the Treasurer's Report.

4.2.2 General Fund Budget Status Report

There were no questions regarding the General Fund Budget Status Report.

4.2.3 Budget Development Considerations

Charles Thomas, Interim Vice Chancellor of Business and Financial Services, provided some handouts to the Board regarding the preliminary 2014-15 budget.

Trustee Ritter asked Mr. Thomas if he really thinks the Board can just get these handouts now and have a discussion about the budget. Mr. Thomas said he plans

to introduce some of the budget assumptions for the Board to review the information for the Budget workshop being planned for the Trustees to go further in-depth.

Mr. Thomas addressed the Board regarding the preliminary General Fund Budget Estimate of revenue and expenditures for the fiscal years ending June 30, 2014 and 2015. He also discussed expenditures in the Transition Budget, which is funded from the Fund Balance Reserves. Two major items pulled out of the General Fund Budget and placed in the Transitional Budget are IT and facilities projects.

In comparison with the other Michigan community colleges, Mr. Thomas noted OCC is currently the lowest in the state for in-district tuition and the sixth lowest in the state for out-of district tuition.

He said both the House and the Senate have passed the Governor's recommendation for community colleges, but not agreed with the tuition restraint language. Until this issue is resolved, we won't count on any more funding from the State than we received last year.

The State has just given us a look at what the new recording standards are for the unfunded actuary liability for pensions, which we will now have to begin putting that liability onto our balance sheet.

Vice Chair Sullivan asked what encompasses the miscellaneous revenue as it has almost doubled from last year. Mr. Thomas said it is based on past experience. Trustee Ritter asked what would be considered miscellaneous revenue. Controller Gail Pitts said it is smaller things.

Mr. Thomas said it is based on the experience we have seen over the past couple of years where revenues have not matched the expenditures. We're trying to present a more realistic budget. Also, we have not completed the current year yet, so that may make a difference.

Trustee Ritter asked how the Board can compare what was expended in the past to what is now budgeted. She said if things have been added then the Board will not be able to understand how and why it has increased. She asked what things are different prior to this budget. Mr. Thomas said those are the items to be addressed during the Budget workshop. Ms. Ritter asked how have the CBT recommendations been incorporated into developing this budget. Mr. Thomas said the CBT indicated we should be more open and transparent with the budget process and that's why last month we began discussing this with the Board; we are coming back this month with additional information; and we'll have a workshop to look at the budget. Trustee Ritter asked how is this no longer top down. Mr. Thomas said it begins with a request from all of the College departments as to what their budget needs are. Trustee Ritter

asked how is that different than before. Her concern is that we spent all that money on the CBT and if we don't follow the recommendations then we wasted our money. What she recalls from the finance people who visited and that report she said made it clear the way that the budget was being put together came pretty much from central office, so she would like to know how this has changed. Mr. Thomas repeated that it comes from each department's input as to their budget needs.

Trustee Bryant noted we have a brand new person trying to figure out a very complex financial situation and who has only been here about two months and is part time, and she believes the Board needs to give him a little time to get some of these answers together. Trustee Ritter said she doesn't feel that way. She said she feels we have a lot of public who are saying we collect their tax money and they expect us to know how that money is being spent. She said our expenditures continue to outweigh our revenue. Trustee Bryant responded in the six years she has served on the Board she has never received an offer to be part of a workshop to discuss and go into the details of the budget. She believes that will be very helpful for both the Administration and the Board.

Trustee Kuhn asked Mr. Thomas if \$24 million has to be taken from our fund balance for this coming fiscal year. Mr. Thomas believes it will be around that amount. Mr. Kuhn asked what was the transfer from the fund balance last year. Mr. Thomas believes it was about a \$7 million transfer. Mr. Kuhn requested a history of transfers from the fund balance for the past couple of years.

Vice Chair Sullivan thanked Mr. Thomas for his report, especially considering the amount of time in which he had to prepare it.

4.3 College Facilities

4.3.1 2014-15 Renovation/Major Maintenance Program

Trustee Bryant MOVED to approve the 2014-15 Renovation/Major Maintenance Program as presented and authorize Administration to implement accordingly. Trustee Kuhn seconded.

Trustee Kuhn asked for a synopsis of what is involved in this proposal. Interim Vice Chancellor of Administrative Services Richard Kolcz said he is proposing a procedural change wherein a well-planned comprehensive annual request will be presented to the Board. This will provide the Board with an overall institutional perspective as opposed to piecemeal presentations. This program will result in projects being linked to the College budget and institutional planning process; effectiveness and efficiency is improved by migrating away from individual "projects" to a comprehensive planned program; and planning, accountability, and transparency become the new standards. The new process will involve the Vice Chancellor of Administrative Services, an architect/engineering firm, and a

construction program management firm and positions the College to be in compliance with the CBT report, as well as to follow what was recommended by two outside consulting firms who did independent studies. It's something the College needs to do to improve the effectiveness and efficiency in the way that we conduct business.

Trustee Kuhn asked when will the Board receive a report on these things. Mr. Kolcz said the information will be available at the workshop. There will be a list reflecting the \$9.5 million of work intended for the next 18 months. Originally, it will be an 18-month cycle and thereafter go to an annual cycle. Every year they will come before the Board with an accounting of what was done the previous year and what was spent, as well as what they would like approved for the next year.

Trustee Kuhn inquired as to how detailed the report will be. Mr. Kolcz said it will be a detailed report prioritizing the work that needs to be done, the location at which campus, and the amount needed. Trustee Kuhn also asked about the reporting schedule. Mr. Kolcz said the request and accounting would come forward on an annual basis. However, the Board may have updated reports on projects completed and accounting more frequently. Trustee Kuhn asked if Mr. Kolcz will be doing the contract administration, and Mr. Kolcz said yes – it will be done in-house in consultation with the architect/engineering firm and the construction management firm.

Trustee Ritter stated she read the document presented by Mr. Kolcz and to a certain extent agrees with the Problem/Needs Statement. She said she sincerely takes issue with the idea that culturally decisions will no longer be made by a college-wide committee comprised of cross-sectioned staff unfamiliar with the College's infrastructure. She said they may not know about infrastructure, but they know what's on top and what is affecting their students within the institution. Secondly, she said we have all these construction projects in the Progress Report and asked Mr. Kolcz if he is saying the Board screwed up in identifying that these were priorities within the institution. Mr. Kolcz replied that is not what he is saying. Trustee Ritter stated for 36 years she can't tell you how many people came here and told us we don't do this, we don't do this, when in fact we have done it, and we've spent a lot of money with construction management firms and other people who have come in here and told us what was wrong and not done. It is her opinion it doesn't get done because Administration doesn't get it done – it is not a priority. She went on to tell Mr. Kolcz he's saying the same thing - He is saying if there is money then it will get done. She said she has heard for 36 years we don't have the money to get that done. She said Mr. Kolcz wants the Board to go to a Carver method of explaining to us one time a year that we have these priorities. She said she doesn't agree with this – she feels you have to have people who work in the environment, in the community, within the College, on the campuses who are involved and see things if they don't work, if they work - you

have to have their opinion, you have to have their counsel. She went on to say we're going to hire this, we're going to hire that – she's tired of hiring all these people. Trustee Ritter said Trustee Davis wants to see the RFPs. Mr. Kolcz said these recommendations are going to come before the Board. Trustee Ritter said she can't support this and is voting no. She thinks it's a bunch of bologna and is tired of being word smithed and all the other stuff that goes along with it. She said it continually takes away the opinion of the Board and the community.

Trustee Bryant MOVED we table this item to the next Board meeting because we are missing three trustees and this is obviously a very important and complicated topic. Trustee Kuhn seconded.

AYES: Bryant, Kuhn, Sullivan

NAYS: Ritter Motion Failed

Trustee Kuhn said he would like to have some more parameters than reporting annually – it should be set up either quarterly or in some regular basis of recording.

Trustee Ritter said we have these construction reports and occasionally we get a quarterly report regarding those things that are spent under \$50,000 but there is no explanation to it, and we also get the information on the monitoring report on employees coming and going that don't fall under the faculty, she asked if the Board understands it. This is just going to be another report that comes to the Board, and the Board has no background and nothing to ask questions about, she said.

Vice Chair Sullivan stated he believes we are straying from the issue.

4.3.2 Progress Report – Construction Projects

Trustee Ritter noted at Auburn Hills we have roof repair, metal replacement – she asked if these are things we just pull from the sky or do we have some kind of schedule for doing this.

Vice Chair Sullivan said that is a great question; and given the question, he believes we are trying to circumvent what has happened in the past with approaching this in a new and different way as Mr. Kolcz suggested. Mr. Kolcz replied that Dr. Sullivan is correct in his statement. Unfortunately, Mr. Kolcz said over the past couple of months he has been unable to get a handle on what process was used in determining these projects.

4.4 Contracts and Purchases

Trustee Ritter asked item 4.4.2 be removed for discussion.

CONSENT CALENDAR – CONTRACTS AND PURCHASES

Items 4.4.1 and 4.4.3 listed below on the Consent Calendar – Contracts and Purchases were enacted by one motion. No separate discussions of these items were requested.

Trustee Kuhn MOVED to approve items 4.4.1 and 4.4.3 on the Consent Calendar - Contracts and Purchases. Trustee Ritter seconded.

AYES: Bryant, Kuhn, Ritter, Sullivan

NAYS: None

Motion Carried

4.4.1 Furniture and Installation Services Building F – Lecture Halls Auburn Hills Campus

The Board of Trustees approved the purchase and installation of furnishings from Public Place Design at a cost not to exceed \$58,138.

4.4.3 ETAS, Inc. Economic and Workforce Development

The Board of Trustees approved the purchase of ETAS, Inc. for training services at a cost not to exceed \$124,000 for training delivered through June 30, 2014.

END OF CONSENT CALENDAR – CONTRACTS AND PURCHASES

4.4.2 Lawn Care Service Auburn Hills and Highland Lakes Campuses

Trustee Ritter MOVED the Board of Trustees approve the use of Brickman Group for lawn care services for the Auburn Hills and Highland Lakes Campuses for a seasonal cost not to exceed \$90,000 through October 2017. Trustee Kuhn seconded.

Trustee Ritter asked who currently is doing the lawn maintenance and what does it involve. Mr. Kolcz stated Auburn Hills and District Office are on a pilot program with an outside vendor. The services include mowing, edging, and trimming. Internal staff handles the lawn maintenance at the other campuses, and weeding and clean ups are done at all locations by internal staff.

AYES: Bryant, Kuhn, Ritter, Sullivan

NAYS: None

Motion Carried

5 UNFINISHED BUSINESS

5.1 Legal Services

This item was tabled until the May meeting.

6 NEW BUSINESS - None

7 COMMUNITY COMMENTS

7.1 Labor Organizations and Associations – No comments

7.2 Board Member Reports and Comments

Trustee Bryant noted the Administration team is a brand new team working together trying to change, repair, and make better the things that weren't working so well in the past and they are doing it in context with the CBT reports. She said she feels the Board may be taking it out on the new folk, the new kids on the block, for things that may not have been done well in the past. Trustee Bryant said she sees a team that is really working together and she has great hope and belief that this is going to be a much better place as a result of them, and she would like to suggest the Board support the team effort.

Trustee Ritter inquired when the Board will receive the transfer agreement. Trustee Kuhn said it was already sent by email. She asked why it wasn't being brought up in this public forum. Dr. Meyer replied it was not on the agenda. Trustee Ritter asked when the Board would be receiving the quarterly reports, and Secretary Foster said the reports would be mailed out on Friday.

Trustee Ritter agreed she is happy we have people working together, but she wants to remind the Board not to throw the baby out with the bath water.

Trustee Kuhn mentioned he would like to see as many Board members at the budget workshop as possible and not just arbitrarily setting a date.

Dr. Meyer noted the Board will be presented four separate budget presentations in total. It is a shifting landscape, and that's why Mr. Thomas wanted to walk you through it as opposed to just interpreting his handouts. We plan to have a budget workshop and to be very transparent about it, rather than having a budget when you need something you reach into another fund to get it afterwards. We will bring the budget before the Board in May for discussion and for finalization in June. This will initiate building a three-year budget.

What we are planning for College facilities and for IT is to come up with a plan, as opposed to preparing a budget and then figuring out what to do.

Trustee Ritter said she appreciates that. She said the Board had been promised a lot of things, and the Board hasn't followed up. She went on to say all these years the Chancellor has assured the Board everything is honkey dory, and now it's not and she doesn't understand that.

Vice Chair Sullivan said he would like to echo the sentiments of Trustee Bryant and really appreciates the effort that has been put in by everybody that's here, whether it's on a full-time or part-time basis. He said they have done a real good job of bringing things forward that need to be changed and in their efforts making those changes and moving forward in a positive direction.

Vice Chair Sullivan noted it is also very interesting what's been thrown on our plate as a college, trying to solve the DACA situation when the Federal government fails to address this situation. At the same time we as a college face the challenges in dealing with developmental education and trying to be an answer to everybody. These are two challenges we face, and we will address them and try to do the best we possibly can.

8 ADJOURNMENT

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

AYES: Bryant, Kuhn, Ritter, Sullivan

NAYS: None

Motion Carried

Vice Chair Sullivan adjourned the meeting at 9:11 p.m.

Cherie A. Foster

Date

Thomas P. Sullivan, Vice Chair

Thomas Kuhn, Treasurer