



LAKE MICHIGAN[®]
C O L L E G E

BOARD OF TRUSTEES

Materials for Regular Meeting

Napier Campus

August 26, 2014

Submitted to Board of Trustees

by

Dr. Robert Harrison

Agenda
Lake Michigan College
Board of Trustees Regular Meeting
Napier Avenue Campus
August 26, 2014
6:00 p.m.

- I. Call to Order
- II. Roll Call
- III. Setting of the Agenda
- IV. Minutes of the June 24, 2014 Special Budget Hearing Meeting
- V. Minutes of the June 24, 2014 Regular Board Meeting
- VI. Petitions and Communications from the Floor
- VII. President's Reports
 - A. President's Update..... Dr. Robert Harrison
 - B. Instructional Services Report..... Ms. Leslie Kellogg/Mr. Chris Spradlin
 - C. Student Services Report Dr. Clint Gabbard
- VIII. New Business
 - A. 2014-18 Draft Labor Agreement between Lake Michigan College and the Lake Michigan College Education Association MEA/NEA
..... Ms. Anne Erdman
 - B. 2014-19 Draft Labor Agreement between Lake Michigan College and the Lake Michigan College Facilities Workers Union MEA/NEA..... Ms. Erdman
 - C. FY '15 Board of Trustees Meeting Calendar..... Dr. Harrison
- IX. Miscellaneous
- X. Adjournment

LAKE MICHIGAN COLLEGE
MINUTES OF THE SPECIAL MEETING - BUDGET HEARING
Napier Avenue Campus
Mendel Center Executive Board Room
Tuesday, June 24, 2014

I. CALL TO ORDER

Chair Maysick called the Budget Hearing of the Lake Michigan College Board of Trustees to order at 6:03 p.m.

Present: Dr. Maysick, Dr. Lindley, Mr. Bergan, Ms. Johnson,
Mr. Small, and Ms. Truesdell

Absent: Ms. Tomasini

III. NEW BUSINESS

BUDGET HEARING

Ms. Hahn presented the proposed budget for the 2015 fiscal year. She acknowledged that as the budget was prepared, assumptions and projections were made. Dr. Harrison noted that this is a balanced budget.

IV. VOICE VOTE -- APPROVED

V. ADJOURNMENT

MOTION by Mr. Bergan, supported by Mr. Small, to adjourn the special budget meeting of the Board of Trustees at 6:08 p.m.

LAKE MICHIGAN COLLEGE
BOARD OF TRUSTEES
MINUTES OF THE REGULAR MEETING
JUNE 24, 2014

I. **CALL TO ORDER**

Chair Maysick called the Regular Meeting of the Lake Michigan College Board of Trustees to order at 6:09 p.m. The meeting opened with the Pledge of Allegiance.

II. **ROLL CALL**

Present: Dr. Maysick, Ms. Truesdell, Mr. Small, Dr. Lindley, Mr. Bergan,
Absent: Ms. Tomasini

III. **SETTING OF THE AGENDA**

The agenda was amended to add two items, D) Undocumented Students Admission Policy Modification and E) Tax Exempt Michigan Non Profit Corporation Wine Structure-501C3.

IV. **APPROVAL OF MINUTES**

The minutes of the May 20, 2014 Regular Board Meeting were approved as presented.

V. **PETITIONS AND COMMUNICATIONS FROM THE FLOOR**

Ms. Flozene King addressed the Board with concerns regarding the tuition process for overpayments. Dr. Maysick apologized for Ms. King's unfortunate experience, and Dr. Harrison assured Ms. King that he would further investigate the issue.

VI. **BOARD MEMBER APPOINTMENT**

The Board of Trustees appointed Ms. Debra Johnson to the trustee position left vacant by Ms. Williams' retirement. Ms. Johnson's term is effective immediately through December 31, 2014.

VII. **PRESIDENT'S REPORT**

Dr. Harrison asked Dean Spradlin to introduce new faculty member John Owens, Music Instructor/Director of Music. Dr. Harrison presented Mr. Owens with a welcome gift.

INSTRUCTIONAL SERVICES REPORT

Deans Kellogg and Spradlin reported on the three newly approved programs; Medical Assistant Certificate, Energy Production Technology-Associate in Applied Science, and Energy Production & Distribution Management-Baccalaureate in Applied Science. They also gave an update on program modifications and new course proposals.

STUDENT SERVICES REPORT

Dr. Gabbard reported on the new advertisements on television and community billboards. He also presented information to the Board on the Start to Finish program.

FINANCIAL SERVICES REPORT

Ms. Hahn will present the fiscal year 2015 budget at tonight's meeting.

NEW BUSINESS

FY 15 BUDGET

The Fiscal Year 2015 Budget was presented by Ms. Hahn at tonight's meeting.

* Board Approv

ACTION

It was recommended that the Lake Michigan College Board of Trustees approve the Fiscal Year 2015 Budget as presented.

MOTION by Dr. Lindley, supported by Ms. Truesdell to approve the Fiscal Year 2015 Budget as presented.

ROLL CALL VOTE

Yeas: Dr. Maysick Dr. Lindley, Ms. Truesdell, Mr. Small, Mr. Bergan, Ms. Johnson

Neas: None

Absent: Ms. Tomasini

APPROVED

CERTIFICATION OF APPOINTMENTS 2014-2015 MCCA BOARD OF DIRECTORS

The Michigan Community College Association (MCCA) Bylaw, Article VII, Sec. 1 and 2 requires each member college to certify to the Secretary of the Association prior to July 15 each year its representatives to the MCCA Board of Directors. The representatives must be the chief administrative officer of the College and one member of the College’s governing board. Each College Board is also required to designate an alternate governing board member.

Chair Maysick announced the appointment of Lake Michigan College Trustees, Dr. Maysick and Mr. Bergan, as representatives to the Michigan Community College Association Board of Directors for 2014-2015.

Motion by Dr. Lindley with support from Ms. Truesdell, to accept the appointments of the Lake Michigan College Board of Trustees representatives to the Michigan Community College Association Board of Directors for 2014-2015.

ROLL CALL VOTE

Yeas: Dr. Maysick, Dr. Lindley, Ms. Truesdell, Mr. Small, Mr. Bergan, Ms. Johnson

Neas: None

Absent: Ms. Tomasini

APPROVED



FOUNDATION BOARD OF DIRECTOR APPOINTMENTS

At the May 21, 2014 meeting of the Lake Michigan College Foundation Board of Directors, Scott Geik of 1st Source Bank was appointed to the Foundation Board of Directors for a three-year term, beginning July 1, 2014, and ending June 30, 2017.

The Foundation Board reappointed the following persons to three-year terms, beginning July 1, 2014, and ending June 30, 2017; Greg O’Niel Doug Schaffer and Mike Welch

At the same meeting, the Foundation Board elected Jeff Curry of United Federal Credit Union, as president of the Foundation Board, and Jim Marohn of Doubleday Office Systems as vice president. All appointments are effective July 1, 2014

ACTION

It was recommended that the Lake Michigan College Board of Trustees confirm the appointments and election of Foundation Board members as noted above.

Motion by Dr. Lindley with support from Mr. Bergan, to confirm the appointments and election of Foundation Board members as noted above.

ROLL CALL VOTE

Yeas: Dr. Maysick, Dr. Lindley, Ms. Truesdell, Mr. Small, Mr. Bergan, Ms. Johnson

Neas: None

Absent: Ms. Tomasini

APPROVED

UNDOCUMENTED STUDENTS ADMISSIONS POLICY

The Lake Michigan College Administration is recommending a modification of the Undocumented Students Admissions Policy.

UNDOCUMENTED STUDENTS ADMISSIONS

Office of Origin: Student Services
Date Adopted:
Date Reviewed:
Last Date Modified & Approved:

Policy Statement:

International Student

A student who is (1) not a United States citizen or (2) a student who has been admitted to the United States on a temporary, non-resident status, is classified as an International student. International students should be prepared to document status or property ownership at the time of registration.

An International student may qualify for classification according to the definitions of residency stated above if (1) the student holds a valid Alien Registration Receipt Card (Permanent Resident Card), political asylum status or (2) a student owns, or a documented dependent student whose parents or legal guardians own, property within the United States, or (3) the student is a longstanding area resident who graduated from a United States high school and can document residence for the period of at least one year immediately prior to the first day of the semester.

Responsibility: Vice President, Student Services

ACTION

It was recommended that the Lake Michigan College Board of Trustees accept the Undocumented Students Admissions Policy as noted above.

Motion by Mr. Bergan with support from Ms. Truesdell, to accept the Undocumented Students Admissions Policy modification with additional language to include "high school equivalent".

ROLL CALL VOTE

Yeas: Dr. Maysick, Dr. Lindley, Ms. Truesdell, Mr. Small, Mr. Bergan, Ms. Johnson

Neas: None

Absent: Ms. Tomasini

APPROVED

TAX EXEMPT MICHIGAN NON PROFIT CORPORATION WINE STRUCTURE-501 C3

Lake Michigan College currently holds a Class C Liquor License for the Mendel Center. According to the interpretation of the Michigan Liquor Control Commission, the College cannot hold more than one liquor license. The College needs a winemaking license to operate its Enology and Viticulture Program.

STRUCTURE COMPLEXITY:

Lake Michigan College cannot have direct or indirect control over the entity holding its State liquor license for winemaking. After calls with the Michigan Liquor Control Commission, with the assistance of Representative Al Pscholka, the Commission interprets that the College cannot obtain the license through the College Foundation, because there is the appearance that the College is in direct control of the Foundation.

SOLUTION:

We recommend that the Lake Michigan College Board of Trustees create a 501(c)(3) Non-profit Corporation and Single-Member LLC. The LLC will be a profit entity. Our attorney, Patrick Sturdy, can act as the incorporator and appoint the LLC directors, on behalf of the College's Board of Trustees. We recommend three directors with two alternates.

A partnering agreement would be developed between the College and the Non-profit Corporation, with a mechanism created to appointment future Directors. Note: the LLC is a holding company of the Corporation and has no directors.

OUTSTANDING ISSUES:

1. The Michigan Liquor Control Commission is verifying with the Michigan Attorney General that the College is not located on State-owned land, as an entity on State-owned land cannot acquire a liquor license.
2. The College needs a determination from the Michigan Liquor Control Commission if Vintners can sell wine to the Mendel Center Operations or if Vintners will have to sell through a wholesaler.
3. A winemaking license and its uses are at the interpretation of the Michigan Liquor Control Commission. The College believes, with a winemaking license, that it can:
 - a. manufacture wine and sell to a wholesaler,
 - b. sell to a retailer,
 - c. offer free samples or may include a charge for samples from the premises,
 - d. may sell wine to customers for off premise consumption, and
 - e. may sell wine to consumers for on premises consumption at a winery in conjunction with a restaurant on the winery premises.

RECOMMENDATIONS:

1. Create a 501(c)(3) Non-profit Corporation and Single-Member LLC
 - a. The Lake Michigan College Board of Trustees would act as the incorporators. Directors for the Non-profit would be appointed by the College Board of Trustees.
 - i. Positive of Structure
 1. Allows the license
 2. Provides liability protection for College by creating separation between entities
 3. Provides greater control for the College Board of Trustees
 - ii. Caution
 1. Administration will need to closely monitor operation to assure required paperwork is submitted, as required.
 2. On a parallel track, work with Representative Al Pscholka on legislation to allow Lake Michigan College to hold a Class C Liquor License for the Mendel Center and a winemaking license for the Viticulture and Enology Program.

ACTION:

The Lake Michigan College Board of Trustees authorizes the College Administration to take steps to create a Tax-Exempt, Michigan Non-Profit Corporation for the purpose of operating a high-quality instructional program in enology and viticulture and market and distribute the wine produced through this instructional program, and to create a Limited Liability Company for the purpose of obtaining the necessary Winemaking licenses.

Motion by Dr. Lindley with support from Mr. Bergan, to authorize the College Administration to take steps in creating a Tax-Exempt, Michigan Non-Profit Corporation for the purpose of operating a high-quality instructional program in enology and viticulture and market and distribute the wine produced through this instructional program, and to create a Limited Liability Company for the purpose of obtaining the necessary Winemaking licenses.

ROLL CALL VOTE

Yeas: Dr. Maysick, Dr. Lindley, Ms. Truesdell, Mr. Bergan, Ms. Johnson

Neas: None

Abstain: Mr. Small

Absent: Ms. Tomasini

APPROVED

EVALUATION OF THE PRESIDENT

Chair Maysick presented the Evaluation of the President at tonight’s meeting. He reported that the Board rated President Harrison as, exceeds in every area and has done, and will continue to do a great job bringing the College and outside entities together. Dr. Maysick stated the Board agreed that President Harrison does an outstanding job of articulating and promoting the vision

of Lake Michigan College. The Board applauds him for his leadership, and they appreciate very much what he has done to move the college forward with the soccer program, Beckwith Hall, viticulture program, and Hawk's Nest to name a few of his exceptional accomplishments.

Ms. Truesdell stated that President Harrison has done an outstanding job. Mr. Bergan congratulated President Harrison on doing such a great job bringing the college a long way, and that it's because he is able to make the tough decisions needed to move the College in the right direction. Mr. Small complimented Dr. Harrison's way of employing good, well-staffed people who seem to really care about what they are doing. Ms. Johnson agreed and commented that this is a sign of a true leader.

VIII. **ADJOURNMENT**

MOTION by Mr. Bergan, supported by Mr. Small, to adjourn the Regular Meeting of the Lake Michigan College Board of Trustees at 6:26 p.m.



David Maysick
Board of Trustee Chair

PRESIDENT'S REPORT

Beckwith Hall Ribbon Cutting

On July 11, faculty, staff, students, and community members celebrated the ribbon cutting and grand opening of Beckwith Hall, the first on-campus student housing facility in the College's 68-year history.

The new complex is named for Clarence G. Beckwith, who served as the first dean of LMC's predecessor - the Junior College of Benton Harbor - when it opened in 1946.



(L to R) Dr. Clint Gabbard, LMC Vice President of Student Services; Mary Jo Tomasini, LMC Trustee; Carolyn Beckwith Schultz, daughter of Dr. Clarence Beckwith; Dr. David Maysick, LMC Board of Trustees Chairman; Dr. Robert Harrison, LMC President; Brandon Yenchus, LMC student; Paul Bergan, LMC Trustee.

MCCA Summer Conference

Around 250 presidents, trustees and guests gathered for the annual Michigan Community College Association (MCCA) Summer Workshop: *Ensuring Relevancy in Times of Rapid Change* held July 23-25. President **Robert Harrison**, LMC Board of Trustee Chair **David Maysick**, and Trustees **Judy Tuedsell** and **Debra Johnson** attended representing Lake Michigan College.

College presidents and trustees met at the Grand Traverse Resort on July 24 for a day-long professional development Institute. Agenda featured topics such as:

- *The Future of Education*
- *Ensuring Relevancy through Competency*
- *Michigan's Economy: Past, Present, and Future*
- *Leadership in Times of Rapid Change: Fostering Creative Thinking and Innovation*
- *The State Election: A Conversation with Tim Skubick*

Service Recognition Awards were presented to the following trustees/past trustees:

- Renee Williams 25 years of service
- Dr. David Maysick 15 years of service
- Mary Jo Tomasini 5 years of service