

Board of Trustees Regular Meeting
August 25, 2021
7:00p.m.

MINUTES

Members Present	Dillon Breen, Brian Broderick, Bill Erwin, Joan Gebhardt, Brett Gierak, Carol Strom.
Members Absent	Terry Gilligan
Call to Order for Regular Meeting	<p>Chair Gebhardt called the August Regular Board Meeting to order at 7:05 p.m.</p> <p>All members stood and took part in the Pledge of Allegiance.</p> <p>Chair Gebhardt stated that due to the COVID-19 Global Pandemic the State of Michigan temporarily modified the Open Meetings Act allowing the meetings of the public bodies, like the Schoolcraft Board of Trustees, to be held virtually for any reason. The Open Meetings Act was modified a second time limiting the reasons a public meeting could be held virtually. The remaining modifications which allowed Board Members to participate remotely are set to expire December 31, 2021. To provide better continuity of service to the Campus and the Community the College will be returning to traditional in-person meetings with the start of the Fall Semester.</p>
Introduction of Guests	13 guests were in attendance including: Brad Stetson, Patrick Sturdy, Donna Moir, Jerome Lavis, Melissa Schultz, Peggy Chapo, Thomas Worthington, Alec Thomson, Laurie Kattuah-Snyder, Michele Kelly, Michael Waldyke, Stacy Whiddon, and Steven Kaufman.
Comments from the Audience	Dr. Jerome Lavis, President of the Faculty Forum, addressed the Board of Trustees regarding agenda item 9-g: Ratification of the Master Agreement with the Schoolcraft Faculty Forum.
Approval of Minutes as amended from the June 23, 2021 Regular Meeting	<p>Chair Gebhardt stated that she would like page numbers added to the minutes.</p> <p>Chair Gebhardt stated that the minutes from the June 23, 2021 Regular Meeting were approved as amended.</p>
Communication to the Board	Chair Gebhardt presented Secretary Brian Broderick a pin from the Michigan Community College Association (MCCA) for 25 years of service.

Comments from Trustees

Trustee Breen reported on SEMCOG Executive Committee Meeting held July 22, 2021. The President of Eastern Market spoke about how they address food insecurity issues cause by COVID-19 and distribution of food in the city of Detroit. The Executive Committee passed a resolution to apply as a designation as an Economic Development District through the U.S. Department of Commerce’s Economic Development Administration to be able to apply for more grants. There were also updates to the Transportation Improvement Program. October 14, 2021 is when the SEMCOG General Assembly will take place in person.

Chair Gebhardt announced that she had formed the IDEA Subcommittee, appointing Trustee Gierak as the Chair, Trustee Breen as the Vice Chair, and Chair Gebhardt will also serve on that committee.

Trustee Gierak reported on the IDEA Subcommittee meeting on July 30, 2021. The subcommittee met with Dr. Warren Anderson who presented a proposal for the College’s IDEA plan moving forward. The Subcommittee rated and gave feedback on the proposal.

Report of the President

This month’s spotlight was highlighting some of the programs that will be housed in the Health Sciences Capital Outlay project, including a presentation by:

Peggy Chapo, Health Information Technology Program Coordinator
Thomas Worthington, EMT and Paramedic Program Director
Donna Moir, Radiologic Technology Instructor

Dr. Cerny introduced the Board of Trustees to Stacy Whiddon, Chief Academic Officer, as part of the Leadership Team and Steven Kaufman, Chief Operations Officer, as part of the Executive Team.

Dr. Cerny presented an overview of the College’s Strategic Plan: SC Momentum 2021. He highlighted the four themes:
Inclusion, Diversity, Equity, and Access (IDEA)
Student Success + Engagement
Outreach and Awareness
Institutional Effectiveness

**Approval –
Schoolcraft College
Strategic Plan: SC
Momentum 2021**

2021-52 Moved by Trustee Breen, seconded by Trustee Strom, that the Board of Trustees adopt the new five-year strategic plan for Schoolcraft College entitled “SC Momentum 2021” effective August 25, 2021.

Ayes: Breen, Broderick, Erwin, Gebhardt, Gierak, Strom
Nays: None
Absent: Gilligan
Motion carried.

Approval – Master Articulation Agreement with Baker College for Bachelor Degrees

2021-53

Moved by Trustee Strom, seconded by Trustee Gierak, that the Board of Trustees authorizes the administration to enter into a master articulation agreement with Baker College for the BS in Information Technology and Security; BS in Computer Science; BS in Game Software Development; BS in Information Systems; BS in Criminal Justice; BS in Psychology; Bachelor of General Studies; Bachelor of Healthcare Administration; BBA in Accounting, Finance, Human Resource Management, Logistics, Management, and Marketing; and the BBA accelerated program.

Ayes: Breen, Broderick, Erwin, Gebhardt, Gierak, Strom

Nays: None

Absent: Gilligan

Motion carried.

Approval of a Construction and Completion Assurance Agreement, a Conveyance of Property, a Lease and an Easement Agreement (if necessary) for the Schoolcraft College Applied Science Renovation and Expansion

2021-54

Moved by Trustee Broderick, seconded by Trustee Erwin, that the Board of Trustees adopts a formal resolution of Construction and Completion Assurance Agreement attached hereto and incorporated and merged herein.

Ayes: Breen, Broderick, Erwin, Gebhardt, Gierak, Strom

Nays: None

Absent: Gilligan

Motion carried.

First Reading of Policy 5115 – Disposal of College Property

2021-55

The Board of Trustees requested edits be made to the policy to reflect the Board will be informed of any disposals over a certain dollar amount. Moved by Trustee Strom, seconded by Trustee Gierak to table discussion of Policy 5115.

**POLICY
5115**

SCHOOLCRAFT COLLEGE
18600 Haggerty Road, Livonia, Michigan 48152-2696

DISPOSAL OF COLLEGE PROPERTY

Properties of the College, excluding real property, may be disposed of when one or more of the following conditions prevail:

1. No longer required
2. No longer suitable
3. Has little utility

Such property must be disposed of in accordance with defined administrative procedures.

~~When the estimated value of the property exceeds \$12,000 at the time of disposal, such disposal must be approved by the Board of Trustees.~~

Disposals do not include items traded in for replacement of existing property.

Revised—November 18, 1987
 (87-218)
 Revised—June 27, 1990
 (90-114)
 Reviewed—Cabinet
 May 30, 1996
 February 5, 2002
 Reviewed—Purchasing
 September 29, 2004
 Reviewed—VP and CFO
 August 1, 2019
 Revised—Chief Procurement & Business Services Officer
 Board 1st Reading—August 25, 2021

Ayes: Breen, Broderick, Erwin, Gierak, Strom, Gebhardt
 Nays: None
 Absent: Gilligan
 Motion carried

Going into a Closed Session **2021-56** Moved by Trustee Strom, seconded by Trustee Erwin, that the Board of Trustees enters into a closed session under Section 8(c) and 8(e) of the Open Meetings, to discuss Faculty Forum Negotiations and consult with its attorney regarding Wynn v. Schoolcraft.

(Roll Call Vote) Ayes: Breen, Broderick, Erwin, Gierak, Strom, Gebhardt
 Nays: None
 Absent: Gilligan
 Motion carried.

Reconvening into an Open Meeting **2021-57** Moved by Trustee Strom, seconded by Trustee Broderick that the Board of Trustees return into an open session at 9:46p.m.

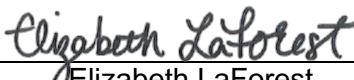
(Roll Call Vote) Ayes: Breen, Broderick, Erwin, Gierak, Strom, Gebhardt
Nays: None
Absent: Gilligan
Motion carried.

Ratifying the Master Agreement with the Schoolcraft Faculty Forum **2021-58** Moved by Trustee Strom, seconded by Trustee Broderick, that the Board of Trustees accepts and ratifies the Master Agreement negotiated with the Schoolcraft College Faculty Forum, effective August 27, 2021 through August 22, 2024.

Ayes: Breen, Broderick, Erwin, Gebhardt, Gierak, Strom
Nays: None
Absent: Gilligan
Motion carried.

Comments from Trustees: Chair Gebhardt wished everyone a Happy Labor Day.

Adjournment Chair Gebhardt adjourned the meeting at 9:53p.m.



Elizabeth LaForest,
Associate Secretary



Joan Gebhardt, Chair

Attachment

SCHOOLCRAFT COLLEGE

18600 Haggerty Road, Livonia, Michigan 48152-2696

AGENDA ITEM NO. 09-c

MOTION NO. 2021-54

REGULAR MEETING
Board of Trustees
August 25, 2021

SUBJECT: *Consider Approval of a Construction and Completion Assurance Agreement, a Conveyance of Property, a Lease and an Easement Agreement (if necessary) for the Schoolcraft College Applied Science Renovation and Expansion*

BRIEF: *As part of the approval process from the Capital Outlay Schoolcraft College Applied Science Renovation and Expansion project the following resolution needs to be voted upon and adopted by the Schoolcraft College Board of Trustees.*

Presented to the Board with the recommendation of the President.

RECOMMENDATION:

Moved by Broderick Seconded by Erwin

BE IT RESOLVED that the Board of Trustees adopts the attached formal Resolution for the State Building Authority in regard to the Schoolcraft College Applied Science Renovation and Expansion Project:

RESOLUTION OF THE BOARD OF TRUSTEES OF
SCHOOLCRAFT COLLEGE
APPROVING A CONSTRUCTION AND COMPLETION
ASSURANCE AGREEMENT, A CONVEYANCE OF
PROPERTY, A LEASE AND AN EASEMENT AGREEMENT,
IF NECESSARY, FOR THE SCHOOLCRAFT COLLEGE
APPLIED SCIENCE RENOVATION AND EXPANSION

A RESOLUTION of the Board of Trustees of Schoolcraft College (i) approving (a) a form of construction and completion assurance agreement (the "Construction Agreement"), by and among the State Building Authority (the "Authority"), the State of Michigan (the "State") and Schoolcraft College, a Michigan constitutional body corporate (the "Educational Institution"), providing for the rights, duties and obligations of the Authority, the State and the Educational Institution with respect to the Educational Institution's Applied Science Renovation and Expansion and the site therefor (the "Facility") during the construction, renovation and/or equipping of the Facility and prior to the conveyance of the Facility to the Authority, (b) the conveyance of the Facility to the Authority, (c) a lease (the "Lease"), by and among the Authority, the Educational Institution and the State, for the purpose of leasing the Facility to the State and the Educational Institution and (d) an easement agreement (the "Easement Agreement") between the Authority and the Educational Institution, if necessary in connection with the entering into or performance of the Lease, and (ii) providing for other matters related thereto.

WHEREAS, the Authority has been incorporated under and pursuant to the provisions of Act No. 183, Public Acts of Michigan, 1964, as amended ("Act 183"), for the purpose of acquiring, constructing, furnishing, equipping, owning, improving, enlarging, operating, mortgaging and maintaining buildings, necessary parking structures or lots and facilities, and sites therefor, for the use of the State, including institutions of higher education created pursuant to Section 4, 5, 6 or 7 of Article 8 of the Michigan Constitution of 1963 (the "State Constitution"), or any of its agencies; and

WHEREAS, the Educational Institution has been maintained and created pursuant to Sections 4 and 7 of Article 8 of the State Constitution; and

WHEREAS, the State and the Educational Institution desire that the Authority finance the acquisition, construction, renovation and/or equipping of the Facility in consideration of (i) the Educational Institution granting a license to the Authority to enter upon the site of the Facility (the "Site") in order to undertake such construction, renovation and/or equipping, (ii) the Educational Institution undertaking on behalf of the Authority the oversight of such construction, renovation and/or equipping and (iii) the Educational Institution conveying the Facility to the Authority on or prior to the date of its completion, and the Authority is willing to provide such financing in consideration of the items described above; and

WHEREAS, in accordance with the Construction Agreement, the State and the Educational Institution desire that the Authority acquire the Facility on or prior to the date of its completion, and lease the same to the State and the Educational Institution, and the Authority is willing to acquire the Facility and lease the same to the State and the Educational Institution; and

WHEREAS, the Site is presently owned by the Educational Institution, the Facility will be constructed by the Educational Institution on behalf of the Authority, and it is intended that the Site and the Facility be conveyed to the Authority by the Educational Institution; and

WHEREAS, the acquisition of the Facility by the Authority for use by and lease to the Educational Institution and the State is necessary in order for the State and the Educational Institution to carry out necessary governmental functions and to provide necessary services to the people of the State as mandated or permitted by constitution and law, and the use of Act 183 to accomplish such acquisition represents the most practical means to that end at the lowest cost to the State and the Educational Institution; and

WHEREAS, Section 7 of Act 183 provides that the Lease shall be approved by the Authority, by the State Administrative Board of the State and as provided in an appropriations act and if the Lease is for an institution of higher education existing or created pursuant to Section 4, 5, 6 or 7 of Article 8 of the State Constitution, then in addition, the Lease shall be authorized by the institution of higher education and signed by its authorized officers and, accordingly, it is necessary that the Educational Institution authorize and approve the Lease; and

WHEREAS, if it is determined that (i) the Authority will require an easement from a public road to the Facility over real property owned by the Educational Institution so that the Authority has access to the Facility, (ii) the Educational Institution will require for future use certain easements through the Facility, (iii) the Authority and the Educational Institution will require an agreement to share a common structural wall or (iv) the Authority will require an easement over real property owned by the Educational Institution so that the Authority has sufficient parking available in connection with the reasonable use of the Facility, then in order to meet any such requirement, it may be necessary for authorized officers of the Educational Institution to approve an Easement Agreement to provide for such easements or the sharing of a common structural wall, as the case may be;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE EDUCATIONAL INSTITUTION THAT:

1. The plans for the Facility, as filed with the Educational Institution, are hereby approved.
2. The Educational Institution hereby authorizes and approves the Construction Agreement in substantially the form attached as Exhibit A, and the then seated Chairperson and the

then seated Treasurer of the Educational Institution are hereby authorized and directed to execute and deliver, at the appropriate time, the Construction Agreement in substantially the form attached as Exhibit A for and on behalf of the Educational Institution. Such officers are hereby authorized to approve such changes in and modifications to the Construction Agreement as do not materially adversely affect the Educational Institution.

3. The conveyance of the Site and the Facility to the Authority in accordance with the Construction Agreement is hereby approved, and any two of the following then seated officers of the Educational Institution: the Chairperson, the Vice Chairperson, the Secretary and the Treasurer, are hereby authorized and directed to execute and deliver a warranty deed in substantially the form attached as Exhibit B and bills of sale to accomplish such conveyance in such form as may be from time to time approved by such officers.

4. The Educational Institution hereby authorizes and approves the Lease in substantially the form attached as Exhibit C, and any two of the following then seated officers of the Educational Institution: the Chairperson, the Vice Chairperson, the Secretary and the Treasurer, are hereby authorized and directed to execute and deliver the Lease in accordance with the Construction Agreement and in substantially the form attached as Exhibit C for and on behalf of the Educational Institution and such officers are hereby designated as authorized officers of the Educational Institution for purposes of Section 7 of Act 183. Such officers are hereby authorized to approve such changes in and modifications to the Lease as do not materially alter the substance and intent thereof as expressed in the Lease and the request for action submitted to the Board of Trustees in connection therewith; provided such officers are not hereby authorized to approve a change in the Lease with respect to the range of rental, the description of the Facility or the material financial obligations of the Educational Institution contained in the Lease approved herein. The Educational Institution hereby determines that the maximum rental in the amount described below is reasonable and the authorized officers are hereby authorized to approve in the Lease, as executed, rental in annual amounts determined by the final appraisal of "True Rental," but not exceeding \$818,000 in any 12-month period and a lease term of not exceeding 40 years.

5. If in connection with the entering into or performance of the Lease, and any two of the following then seated officers of the Educational Institution: the Chairperson, the Vice Chairperson, the Secretary and the Treasurer, determine that (i) the Authority will require an easement from a public road to the Facility over real property owned by the Educational Institution so that the Authority has access to the Facility, (ii) the Educational Institution will require for future use certain easements through the Facility, (iii) the Authority and the Educational Institution will require an agreement to share a common structural wall or (iv) the Authority will require an easement over real property owned by the Educational Institution so that the Authority has sufficient parking available in connection with

the reasonable use of the Facility, then such officers are hereby authorized and directed to execute and deliver an Easement Agreement, or any amendments thereto, if necessary in order to meet any such requirement.

6. Any of the following then seated officers of the Educational Institution: the Chairperson, the Vice Chairperson, the Secretary and the Treasurer, are hereby severally authorized and directed to take or cause to be taken all other actions, including, without limitation, making requests of and approving requests from the Authority and the State and signing certificates, documents or other instruments, each on behalf of the Educational Institution, as they deem necessary or desirable under the circumstances to accomplish the purposes of the transactions authorized in this Resolution.

7. The Educational Institution further confirms its obligations to perform the duties and obligations specified in the Construction Agreement (only upon its execution by authorized officers of the Educational Institution) and the Lease (only upon its execution by authorized officers of the Educational Institution) and acknowledges that such obligations do not depend upon passage of title to the Facility to the Educational Institution without consideration upon termination of the Lease. The Educational Institution hereby recognizes that it would execute and deliver the Lease even if title to the Facility would not pass upon termination of the Lease.

8. The Educational Institution recognizes that the Authority shall pay for costs of the Facility in an amount not in excess of \$9,999,800.

9. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

10. This Resolution shall be effective immediately upon its adoption.

VOTE: AYE: Breen, Broderick, Erwin, Gebhardt, Gierak, Strom
NAY: _____
ABSTAIN: _____
ABSENT: Gilligan
MOTION CARRIED X MOTION DEFEATED _____

SCHOOLCRAFT COLLEGE
18600 Haggerty Road, Livonia, Michigan
734-462-4467

CERTIFICATE

I hereby certify that the attached is a true copy of the approved minutes of the Regular Board meeting held on the 25th day of August, 2021, and that said minutes have been available for public inspection at the address designated on the posted public notice of said meeting from and after the 22nd day of September, 2021.



Elizabeth LaForest, Associate Secretary
Board of Trustees