

West Shore Community College
3000 N. Stiles Rd., Scottville, MI 49454
Special Board of Trustees Meeting & Public Hearing
Administrative and Conference Building & Via Zoom
Monday, October 5, 2020
5:00 p.m.

The October 5, 2020, Board of Trustees Meeting was called to order at 5:00 p.m. by Mr. Bruce Smith, Chairman. Mr. Smith welcomed everyone at the meeting on campus and also via Zoom.

**Call to Order
and Roll Call**

Board Members Present: Mr. James Barker, Dr. Anthony Fabaz, Mr. James Jensen, Mr. Randy Tomaszewski, Mr. Richard Wilson, Mrs. Sherry Wyman and Mr. Bruce Smith, Chairman

Others Present: Carlos Alvarado (Attorney of City of Scottville), Conny Bax, Dave Bostwick (Ludington Daily News), Christy Christmas, Tim Fink, Thom Hawley, Mark Kinney, Kyle Kotecki (Manistee News Advocate), Mike Moore, Matt Murphy (Scottville Chief of Police), John O'Hagan, Craig Peterson, Lisa Stankowski, Scott Ward and (other individuals attended, but were not identifiable by their cell phone numbers).

The minutes of the September 21, 2020 Board of Trustees meeting were distributed to the members of the Board of Trustees prior to the meeting.

MOTION: A motion was made by Mrs. Sherry Wyman and seconded by Mr. Richard Wilson to approve the September 21, 2020 Board of Trustees Meeting Minutes. Roll call vote: Barker – aye, Fabaz – aye, Jensen – aye, Tomaszewski – aye, Wilson – aye, Wyman – aye, and Smith – aye. Motion carried: 7 – ayes and 0 – nay.

**Approval of
September 21,
2020 Board of
Trustee
Meeting Minutes**

The agenda of the October 5, 2020 Special Board of Trustees Meeting and Public Hearing was provided to the members of the Board of Trustees prior to the meeting.

MOTION: A motion was made by Mr. Richard Wilson and seconded by Dr. Anthony Fabaz to approve the October 5, 2020 Special Board of Trustees Meeting and Public Hearing agenda. Roll call vote: Barker – aye, Fabaz – aye, Jensen – aye, Tomaszewski - aye, Wilson – aye, Wyman – aye, and Smith – aye. Motion carried: 7 – ayes and 0 - nay.

**Approval of
Board of
Trustees &
Public Hearing
Agenda**

A second Public Hearing was held for the purpose of discussing an agreement between City of Scottville for the purpose of authorizing the Scottville Police Department to provide public safety at the college's main campus and any special needs that the college may have at our Manistee Center and our Riemer Regional Public Safety Training Center.

Public Hearing

President Ward stated in light of the recent news of the Michigan Supreme Court's finding of Governor Gretchen Whitmer's executive orders regarding the coronavirus pandemic unconstitutional, we will still continue to follow the orders of wearing masks and social distancing. The Governor has requested a 28-day extension, but it is not known at this time if an extension will be granted. President Ward stated the Governor has reinstated mask requirements and other restrictions through orders issued by the State Health Department. He will continue to keep the Board informed.

Student & Community Issues

Chairman Bruce Smith invited anyone from the public to address the Board of Trustees at this time. There were no public comments.

Public Comments

Mr. Jensen stated the Board Administrative Committee reviewed the leases with the Manistee Area Chamber of Commerce and Michigan Works! at their committee meetings held on September 16th and September 30th. The two commercial leases for the downtown Manistee building were provided to the board last month to review. President Ward stated these leases will strengthen the collaboration between the College and the tenants. The lease agreement with the Manistee Community Foundation and related construction change orders were anticipated to be presented at today's meeting, but were not completed in time.

Recommendation of Lease Agreements With Manistee Chamber and Michigan Works!

The Board Administrative Committee favorably reviewed the Lease Agreements for the Manistee Area Chamber of Commerce and Michigan Works! at their meeting held on September 30.

MOTION: A motion was made by Mr. Randy Tomaszewski and seconded by Mr. Richard Wilson to approve the commercial leases noting one correction with the Manistee Area Chamber of Commerce and Northwest Michigan Works! Roll call vote: Barker – aye, Fabaz – aye, Jensen – aye, Tomaszewski - aye, Wilson – aye, Wyman – aye, and Smith – aye. Motion carried: 7 – ayes and 0 - nay.

The contract with the City of Scottville for law enforcement coverage at West Shore Community College properties was presented last month for the Board's review at the September 21, 2020 Board of Trustees meeting. President Ward stated as a requirement, two Public Hearings were held before the Board of Trustees can grant power and authority to allow a peace or law enforcement officer. Public safety officers or police officers are granted the powers and authority to have the same powers and authority of a peace officer under the code of criminal procedure.

Recommendation Of Contract with the City of Scottville For Law Enforcement Coverage

Also, the Board of Trustees shall not grant the powers and authority unless the a Public Safety Advisory Committee is created. The public safety advisory committee is required to have 2 members of the faculty and 2 members of the staff. This public safety advisory committee would receive and address grievances by persons against the public safety officers or police officers or against the public safety department or police department of the College. The committee may recommend to the Board of Trustees or the administration disciplinary measures to be taken against a public safety officer or police officer who is found responsible for misconduct.

President Ward recommended the Board to authorize him as President to appoint the members consisting of two faculty members and two staff members to the Public Safety Advisory Committee. Also, since all statutory requirements are met to enable the Board to grant the law enforcement powers and authorities, President Ward recommended the approval of the contract with the City of Scottville for law enforcement services.

The Board Administrative committee favorably reviewed these recommendations at their meeting held on September 30, 2020 pending the results of the second Public Hearing.

With two recommendations before the board, a motion was made by Mrs. Sherry Wyman and seconded by Dr. Anthony Fabaz to approve the creation of a Public Safety Advisory Committee and authorize the president to appoint the members, which will include two faculty and two staff members. Chairman Smith asked if there was any discussion among the members of the Board. Trustee Richard Wilson requested that this item be tabled because the process, terms of this Public Safety Advisory Committee were not defined, a need for definitions of misconduct and grievance standards. He stated there should be a policy drafted for the board to review before approving.

MOTION: A motion was made by Mr. Richard Wilson and seconded by Dr. Anthony Fabaz requesting to table the first recommendation to authorize the president to appoint members, which will include two faculty and two staff members until a draft of a policy that outlines more details regarding the role and the term of the Public Safety Advisory Committee, definitions of misconduct and grievance standards. Roll call vote: Barker – nay, Fabaz – nay, Jensen – nay, Tomaszewski - nay, Wilson – aye, Wyman – nay, and Smith – nay. The nays have it and the motion to table this item has failed: 1 – aye and 6 - nays.

MOTION: A motion was made by Mrs. Sherry Wyman and seconded by Mr. Randy Tomaszewski to approve the creation of a Public Safety Advisory Committee and authorize the president to appoint the members, which will include two faculty and two

staff members. Roll call vote: Barker – aye, Fabaz – aye, Jensen – aye, Tomaszewski - aye, Wilson – aye, Wyman – aye, and Smith – aye. Motion carried: 7 – ayes and 0 - nay.

MOTION: A motion was made by Mrs. Sherry Wyman and seconded by Mr. Randy Tomaszewski with one change to approve the contract for Law Enforcement Services with the City of Scottville and the staffing of the Public Safety Advisory Committee as members leave. Roll call vote: Barker – aye, Fabaz – aye, Jensen – aye, Tomaszewski - aye, Wilson – aye, Wyman – aye, and Smith – aye. Motion carried: 7 – ayes and 0 – nay.

There being no more business before the Board of Trustees, the meeting was adjourned at 6:10 p.m.

Adjournment

MOTION: A motion was made by Mrs. Sherry Wyman and seconded by Mr. Richard Wilson to adjourn the meeting at 6:10 p.m. Roll call vote: Barker – aye, Fabaz – aye, Jensen – aye, Tomaszewski - aye, Wilson – aye, Wyman – aye, and Smith – aye. Motion carried: 7 – ayes and 0 - nay.

Respectfully submitted,
Anthony Fabaz, Secretary

Recorded by: Lisa M. Stankowski
Approved: _____