



# Muskegon Community College

## BOARD OF TRUSTEES BOARD MEETING MINUTES February 17, 2021 – 12:30 p.m. Zoom Meeting

Chair Osborn called the meeting to order at 12:34 p.m., noting the minutes of the January meetings have been added to the consent agenda.

**Present:** Chair Osborn is participating remotely from Muskegon Township, MI  
Vice Chair Mullally is participating remotely from Whitehall, MI  
Trustee Cook is participating remotely from Whitehall, MI  
Trustee Crandall is participating remotely from Norton Shores, MI  
Trustee Frye is participating remotely from Blue Lake Twp., MI  
Trustee Moore is participating remotely from the City of Muskegon, MI  
Trustee Portenga is participating remotely from North Muskegon, MI

President Nesbary is participating remotely from Muskegon, MI  
Cindy DeBoef is participating remotely from Holton, MI

- I. Trustee Crandall moved approval of the agenda with an addition. He requested the Lakeshore Fitness Center be added to “Old Business”, so if there are questions after the presentation by Chris McGuigan they may be discussed; second. A roll call vote was taken:

Trustee Cook – Yes	Trustee Crandall – Yes
Trustee Moore – Yes	Vice Chair Mullally – Yes
Trustee Portenga – Yes	Chair Osborn – Yes
2. Public Comments and Presentations
  - Bill Lievense gave legislative updates.
  - Florencia Colella and Marykay Vanlente gave public comment in support of the Lakeshore Fitness Center.
  - Yesterday, Chris McGuigan delivered an Offer to Purchase Agreement for the Lakeshore Fitness Center by an unnamed organization to MCC, which includes community use of the building as a fitness center. Following the organizations Board meeting next week, the name will be disclosed.
3. Trustee Crandall moved approval of the Consent Agenda; second. A roll call vote was taken:

Trustee Cook – Yes	Trustee Crandall – Yes
Trustee Frye – Yes	Trustee Moore – Yes
Vice Chair Mullally – Yes	Trustee Portenga – Yes
Chair Osborn – Yes	

- A. Minutes
    - Board Organizational Meeting Minutes of January 20, 2021 and Board Meeting Minutes of January 20, 2021
  - B. Budget/Finance
    1. Financial Reports – *Ken Long*
  - C. Required Approvals – *Chair Osborn*
4. Administrative Reports
- A. Dr. Nesbary highlighted items from his President’s Report.
  - B. Student Success Report – *Dr. John Selmon*
    1. Enrollment – Summer enrollment begins March 8 and 12.
    2. Student Success Completion Agenda highlights were shared. Virtual AtD conference updates will be shared with the Board in March.
  - C. Personnel Report – Kristine Anderson discussed the reinvented virtual annual service awards, reported on completion of beginning of year forms and shared retirements.
5. Business Non Operational
- A. MCCA Report – Trustee Crandall stated it was clear in meeting with the Senators, they support our agenda and issues presented and are willing to work with us going forward.
  - B. Ken Long reported the Foundation endowed funds are up to nearly \$3M (\$2.3M at the Community Foundation and FMCC endowed funds of \$650k, both with a 14% annual return for 2020). The FMCC created its first ever Annual Report, set to be mailed this week.
6. Old Business
- Lakeshore Fitness Center
    - Trustee Portenga shared additions to the agreement to address concerns of a contamination clause relieving MCC of any future liability and a phrase for public access to the lakefront to paragraph four, suggesting the buyer could use the shoreline for pure commercial interest, but preserve something for public use. Chris McGuigan shared concern about access from the street because of membership access and waterfront safety. She believes whatever the colleges concerns were when they bought the property, the buyer will take it with those concerns.
    - Trustee Crandall addressed paragraph 5 on easements - when Rotary bought the property from the YMCA, Rotary Park was given easements to use a portion of their parking lot, which MCC honored, and would expect the buyer to do the same.
    - Concerns of the unknown buyer and the agreement not saying how long it will remain open to public use were raised. Chris McGuigan gave Dr. Nesbary permission to share the buyer’s name with trustees, but until the buyer’s Board approves the Offer to Purchase Agreement, Chris does not want the name disclosed. She stated the organization absolutely commits to giving it their best shot to operate it as a fitness center, in addition to operating it as their headquarters and location where their programs are delivered.

Trustee Crandall moved postponing until MCC receives a report from our attorneys and then following up with a special meeting; second.

- Trustee Portenga confirmed MCC would want a Closed Session before February 25, when the buyer's Board meets, and confirmation MCC is permitted to use the Purchase Agreement language, not naming the organization, for public vote.
- This will bring the document that was presented to their board, getting authorization for the Board officers to sign it and remove the contingency that it be authorized by that board. Trustee Portenga wants our legal counsel to confirm this procedure is correct.

A roll call vote was taken:

Trustee Cook – Yes  
Trustee Frye – Yes  
Vice Chair Mullally – No  
Chair Osborn – Yes

Trustee Crandall – Yes  
Trustee Moore – Yes  
Trustee Portenga – Yes

7. New Business
8. Board of Trustees Policy Governance – Chair Osborn
  - A. [Policy Updates](#)
  - B. Future Agenda Items
9. Announcements
10. Board Comments – Vice-Chair Mullally would like to schedule a closed session as soon as practically possible.

Trustee Crandall moved for adjournment; second.

With no further business, the meeting was adjourned at 1:55 p.m.

Minutes submitted by Nancy Frye, Secretary.

/csd