Board of Trustees Meeting Agenda

APPROVAL OF AGENDA
Item II, Approval of Agenda
   Presenter: Board Chair Jacobson
   Board Consideration: Action

Item III, Public Comment
   Presenter: Board Chair Jacobson
   Board Consideration: Information

APPROVAL OF CONSENT ITEMS
Item IV, Approval of Consent Items
   Presenter: Board Chair Jacobson
   Board Consideration: Action

UNFINISHED BUSINESS
Item V-A: Enrollment Reports
   Presenter: Matt Miller
   Board Consideration: Information

NEW BUSINESS
Item VI-A: Correspondence and Announcements
   Presenter: President Hammond
   Board Consideration: Information

Item VI-B: B-Cubed Biggby Coffee at Pickard
   Presenter: Scott Mertes
   Board Consideration: Information/Action

Item VI-C: Resolution Certifying Millage
   Presenter: Lillian Frick
   Board Consideration: Information/Action

Item VI-D: 2020-2021 Budget
   Presenter: Lillian Frick
   Board Consideration: Information/Action

Item VI-E: Annexation
   Presenter: Scott Mertes
   Board Consideration: Information

BOARD COMMENTS
Item VII-A: Calendar of Events
   Presenter: Board Chair Jacobson
   Board Consideration: Information

Item VII-B: Board Comments- Other Business
   Presenter: Board Chair Jacobson
   Board Consideration: Information
Approval of Agenda

Item II, Approval of Agenda

Presenter: Board Chair Jacobson

Board Consideration: Action

Approval of Agenda.

Recommendation:
It is recommended the Board approve the agenda as presented.
Approval of Agenda

Item III, Public Comment

Presenter: Board Chair Jacobson  
Board Consideration: Information

The Board will allow public comment at this time.

Recommendation:
None, informational.
Mid Michigan College Board of Trustees
Agenda Sheet
June 23, 2020

Approval of Consent Items
Item IV, Approval of Consent Items

Presenter: Board Chair Jacobson
Board Consideration: Action

A. Minutes- June 2, 2020 Regular Meeting
B. Monthly Financial Report:
   4. Gifts and Donations: Donations totaling $25,781 were received for the Scholarship and Grant Fund in May 2020.

Recommendation:
It is recommended the Board approve the consent items as described by the Board Chair.
Mid Michigan College Board of Trustees Regular Meeting

June 2, 2020 – page 1
The meeting took place via Zoom Video Conference Technology due to the COVID-19 Virus and a Stay at Home order issued by the State of Michigan.

Present: Douglas A. Jacobson, Board Chair; Betty M. Mussell, Vice Chair; Richard S. Allen, Jr., Secretary; Thomas W. Metzger, Treasurer; Eric T. Kreckman, Trustee; Terry Petrongelli, Trustee; Carolyn C. Bay, Trustee

Absent: All Trustees Present.

Agenda Item I: CALL TO ORDER

The Board Chair called the meeting to order at 7:00 PM.

Agenda Item II: APPROVAL OF AGENDA

With no proposed changes, the Board Chair stated that the agenda stands as approved as reflected in the Board packet.

Agenda Item III: PUBLIC COMMENT

Maria Gross, Full Time Faculty Member addressed the Board, asking if Trustee Eric Kreckman would be able to participate in the COVID-19 Fall Task Force. President Hammond stated that the task force meetings are open to everyone and meet on a weekly basis on Tuesdays at 11:00 AM. Trustee Kreckman asked to receive a copy of the minutes on a regular basis.

Agenda Item IV: APPROVAL OF CONSENT ITEMS

The Board Chair stated the consent items stand as approved.

Agenda Item V-A: DISTRICT EXPANSION TIMING

Christopher Iamarino, Attorney from Thrun Law Firm was present at the meeting to address any questions or concerns the Trustees may have as far as the expansion timing. Mr. Iamarino discussed the steps to successfully annexing another county/ISD, how the student’s district rates would be affected depending on timing, county vs ISD annexation, and board member makeup based on annexation type.

Agenda Item V-B: ENROLLMENT REPORTS

Vice President of Student Services Matt Miller presented the latest enrollment reports for the Summer and Fall semesters.

Agenda Item VI-A: CORRESPONDENCE AND ANNOUNCEMENTS

None.
Mid Michigan College Board of Trustees Regular Meeting

June 2, 2020 – page 2

Agenda Item VI-B: CURRICULUM CHANGES

Vice President of Academic Affairs Jennifer Fager presented the curriculum changes for the 20-21 academic year.

Motion by Trustee Allen to approve the curriculum changes as presented for the 20-21 academic year. Second by Trustee Petrongelli. All Ayes; Motion Carried.

Agenda Item VI-C: FOUNDATION BOARD MEMBER APPOINTMENT

The Foundation elected a new Executive Committee during their May Board meeting:
Chair: Ray Stover, Vice Chair: Erin Ludwig, Secretary: Jenny Beemer-Fritzinger.

Associate Vice President of the Mid Foundation Tom Olver presented the Board with a request to appoint Doug Ouellette to the Mid Michigan College Foundation Board of Directors for a three year term.

Motion by Trustee Bay to approve Doug Ouellette to the Mid Michigan College Foundation Board of Directors for a three year term. Second by Trustee Mussell. All Ayes; Motion Carried.

The Foundation also received two naming opportunities:
Carol & Anthony Santini, Room 140 (Harrison)
Jenny & Sam Hoyle, Student Services Lobby (Mt. Pleasant) in Honor of Jenny’s Dad Marvin Gans.

Motion by Trustee Petrongelli to accept the Foundation gifts as presented. Second by Trustee Bay. All Ayes; Motion Carried.

Agenda Item VI-D: AUDIT RENEWAL INFORMATION

Vice President of Finance and Facilities Lillian Frick presented the Board with a renewal letter from auditors Plante Moran.

Agenda Item VI-E: RISK MANAGEMENT INFORMATION

Vice President of Finance and Facilities Lillian Frick presented the Board with information regarding the risk management insurance premiums for the year:

The MCCRMA total for 2020-21 insurance premiums is $136,558. This represents a decrease in premium costs from 2019-20 of $8,124 or 5.6%.
Mid Michigan College Board of Trustees Regular Meeting

June 2, 2020 – page 3

Agenda Item VI-F: AUXILIARY SERVICES BLANKET PURCHASE ORDER

Vice President of Finance and Facilities Lillian Frick presented a request for a Blanket Purchase Order for Auxiliary Services in the amount of $307,500.

Motion by Trustee Mussell to approve the Blanket Purchase Order for Auxiliary Services in the amount of $307,500. Second by Trustee Metzger. All Ayes; Motion Carried.

Agenda Item VI-G: MCCA BOARD OF DIRECTORS DESIGNATION

Each year the Board must designate a Trustee Director and an alternate to attend MCCA Board of Directors Meetings.

Motion by Trustee Mussell to name Trustee Jacobson as the Trustee Director and Trustee Petrongelli as the alternate as the MCCA designees. Second by Trustee Bay. All Ayes; Motion Carried.

Agenda Item VII-A: CALENDAR OF EVENTS

June 23 Board of Trustees Meeting, Esther C. Conference Room, Harrison Campus & via Zoom at https://midmich.zoom.us/j/96610972296

Agenda Item VII-B: OTHER BUSINESS

A discussion about taxable values and the recent flooding in mid Michigan took place.

A discussion about the recent events in our nation took place and how Mid can make a commitment to reaching out to our students, staff and communities to rally behind them and focus more of our efforts on supporting diversity, equity and inclusion.

A discussion took place about Mid’s COVID-19 planning. Mid currently has a Fall Planning Task Force and information is consistently updated to the website at: https://www.midmich.edu/campus-life/safety-security/incident-update/covid-19

A discussion took place about how to properly introduce president elect Hood to the area, the Board, etc.
Meeting adjourned at 8:57 PM

Recording Secretary,
Amy Lince
Executive Assistant to the President and Board of Trustees
GENERAL FUND REVENUE:

- 2019-20 enrollment reports show the following changes in billable tuition hours from 2018-19 levels: Fall 2019 0.1% increase; Winter 2020 0.8% decrease; Summer 2020 20.1% decrease. The resulting total revenue represents 104% of the annual budget for the 2019-20 tuition and fees revenue.
- State appropriations revenue for 2019-20 increased 4.1% and was booked in October at $5,324,500. Additional state appropriations of $1,328,888 were allocated to Mid for the UAAL funding and booked as receivable in November.
- Property tax revenue of $2,462,446 was levied and booked as revenue in December 2019.

GENERAL FUND EXPENSES:

- Departmental expenses are in line with or slightly under 92% of the annual budget, with the exception of:
  - Public Service expended only 71% due to courses and workshops that were budgeted but will not take place this year.

GENERAL FUND REVENUE OVER EXPENSES:

- The total increase in net assets as of May 31, 2020 is $3.6 million. This excess will fund the operations for the balance of the 2019-20 fiscal year.

BALANCE SHEET:

- The cash balance decreased $861,000 from April 30, 2020 to fund operations during the month of May.
- The State appropriations receivable of $1,814,568 represents the remaining 3 monthly payments of 2019-20 general and UAAL state appropriations.
- Student receivables increased $1.2 million due to 2020 Summer and 2020 Fall term registration activity in May.
- The prepaid expense balance of $238,174 represents a few multi-year prepaid items, other prepaid 2019-20 expenses, and prepaid HSA benefits that will be earned next fiscal year.
- The balance due to other funds of $8.9 million can be broken down as follows:
  - $597,000 due to the designated student activities fund
  - $2.5 million due to the auxiliary services for sales
  - $27,000 due to the scholarship and grant fund
$665,000 due from the federal restricted fund for student financial aid funds disbursed to the student accounts
$1 million due to students for CARES Act Emergency funds
$535,000 due from the restricted grant fund
$6 million due to building and site for current and future college needs
$6,000 due to the Foundation

The $1.9 million in accrued payroll and other compensation includes expenses incurred but not paid as follows:

- Accrued salary, wages and vacation of $270,000
- FICA, Federal and State withholding of $95,000
- MPSERS/ORP/UAAL payable of $576,000
- Employee health and dental insurances payable of $252,000
- Deferred faculty pay of $709,000
- Unemployment and workers’ compensation insurances payable of $3,200
- Miscellaneous payroll deductions

A significant portion of the preliminary Unreserved Net Assets of $3.9 million represents funds set aside by the Board of Trustees to fund current and future college expansion needs.

The self-funded health care reserve is currently at $1.2 million. This reserve will help to prepare the college for future years with higher than expected employee health insurance claims.

**AUXILIARY FUNDS:**

- Total revenue is at 90% of the annual budget. The espresso shop in Harrison, renamed Laker Café (previously Books & Beans), had not been in service due to construction but re-opened on January 27, 2020 for the Winter term.
- In-person auxiliary services, including both bookstores and the Harrison Laker Café closed March 11, 2020 due to restricted building access in response to the Corona Virus (COVID-19) Stay-At-Home order. Normal operations shall resume in accordance with direction from the Michigan Department of Health and the Governor’s office.
- Total expenses, at 92% of the annual budget, represent operational costs for the months of July through May and corresponds with sales volume.
- The excess revenue over expense to date is $35,874, and will be used to fund bookstore operations for the balance of the 2019-20 year.
### MID MICHIGAN COLLEGE
### BALANCE SHEET
### May 31, 2020

#### Assets

**Current Assets:**
- Cash and cash equivalents: $17,497,177
- Short-term investments: $600,594
- Property taxes receivable: $66,805
- State appropriations receivable: $1,814,568
- Student receivables: $2,737,850
- Other receivables: $88,061
- Deposit - self-funded healthcare: $193,120
- Prepaid expenses and other assets: $238,174
- Due from (due to) other funds: $(8,929,726)

Total current assets: $14,306,622

Long-term investments: $228,373

**Total assets:** $14,534,995

#### Liabilities and Net Assets

**Liabilities:**
- Accounts payable: $139,156
- Accrued payroll and other compensation: $1,921,918
- Deferred revenue: $1,828,085

Total liabilities: $3,889,159

**Net assets:**
- Reserved for:
  - Technology: $851,077
  - Program development: $852,425
  - Retirement incentives: $200,000
  - Self-funded healthcare reserve: $1,170,761
  - Unreserved: $3,944,291
  - Current year excess revenue over/(under) expenditures: $3,627,281

Total net assets: $10,645,836

**Total liabilities and net assets:** $14,534,995
# MID MICHIGAN COLLEGE
## STATEMENT OF REVENUES, EXPENSES
For the eleven months ended May 31, 2020

<table>
<thead>
<tr>
<th>OPERATING REVENUES:</th>
<th>Current Fiscal Year</th>
<th>% of Budget</th>
<th>Prior Fiscal Year</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition and fees</td>
<td>$16,942,698</td>
<td>104%</td>
<td>$16,998,663</td>
<td>95%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>$72,872</td>
<td>43%</td>
<td>$111,687</td>
<td>51%</td>
</tr>
<tr>
<td>Total operating revenues</td>
<td>$17,015,569</td>
<td>104%</td>
<td>$17,110,351</td>
<td>94%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENSES:</th>
<th>Current Fiscal Year</th>
<th>% of Budget</th>
<th>Prior Fiscal Year</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating expenses:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instruction</td>
<td>$9,870,985</td>
<td>98%</td>
<td>$9,765,036</td>
<td>95%</td>
</tr>
<tr>
<td>Information technology</td>
<td>$1,331,074</td>
<td>82%</td>
<td>$1,416,469</td>
<td>78%</td>
</tr>
<tr>
<td>Public service</td>
<td>$616,758</td>
<td>71%</td>
<td>$601,783</td>
<td>71%</td>
</tr>
<tr>
<td>Instructional support</td>
<td>$1,889,358</td>
<td>81%</td>
<td>$2,174,488</td>
<td>90%</td>
</tr>
<tr>
<td>Student services</td>
<td>$2,639,171</td>
<td>81%</td>
<td>$3,009,861</td>
<td>85%</td>
</tr>
<tr>
<td>Institutional administration</td>
<td>$3,809,294</td>
<td>81%</td>
<td>$3,936,098</td>
<td>95%</td>
</tr>
<tr>
<td>Operation and maintenance of plant</td>
<td>$2,161,043</td>
<td>77%</td>
<td>$2,502,254</td>
<td>85%</td>
</tr>
<tr>
<td>Total operating expenses</td>
<td>$22,317,682</td>
<td>87%</td>
<td>$23,405,990</td>
<td>90%</td>
</tr>
</tbody>
</table>

Operating income/(loss) | $(5,302,113) |             | $(6,295,639) |             |

<table>
<thead>
<tr>
<th>NON-OPERATING REVENUES:</th>
<th>Current Fiscal Year</th>
<th>% of Budget</th>
<th>Prior Fiscal Year</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>State appropriations</td>
<td>$6,934,034</td>
<td>104%</td>
<td>$6,711,809</td>
<td>131%</td>
</tr>
<tr>
<td>Property tax levy</td>
<td>$2,462,446</td>
<td>100%</td>
<td>$2,386,274</td>
<td>100%</td>
</tr>
<tr>
<td>Investment income</td>
<td>$150,407</td>
<td>301%</td>
<td>$166,345</td>
<td>333%</td>
</tr>
<tr>
<td>Unrealized gain (loss) on investments</td>
<td>$7,275</td>
<td></td>
<td>$15,275</td>
<td></td>
</tr>
<tr>
<td>Gifts</td>
<td>$-</td>
<td></td>
<td>$-</td>
<td></td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>$88,766</td>
<td></td>
<td>$92,680</td>
<td></td>
</tr>
<tr>
<td>Total Non-operating revenues</td>
<td>$9,642,928</td>
<td>128%</td>
<td>$9,372,384</td>
<td>156%</td>
</tr>
</tbody>
</table>

Revenues over/(under) expenses | $4,340,815 |             | $3,076,744 |             |

Inter Funds Transfers
- Planned Savings (Building & Site) | $675,288 | 83% | $756,250 | 92% |
- Bond Debt Service (Building & Site) | $38,245 | 6% | $16,720 | 5% |
- Restricted Grant Match | $- | 0% | $135,432 | 87% |

Total Transfer to Building & Site | $713,533 |             | $908,402 |             |

Net increase (decrease) in Net Assets | $3,627,281 |             | $2,168,343 |             |
## Auxiliary Fund

### Statement of Revenues, Expenses

For the eleven months ended May 31, 2020

<table>
<thead>
<tr>
<th>Revenue/Expense Description</th>
<th>Current Fiscal Year</th>
<th>% of Budget</th>
<th>Prior Fiscal Year</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bookstore</td>
<td>$ 1,289,665</td>
<td>94%</td>
<td>$ 1,428,019</td>
<td>74%</td>
</tr>
<tr>
<td>Espresso Bar*</td>
<td>$ 14,009</td>
<td>21%</td>
<td>$ 75,951</td>
<td>97%</td>
</tr>
</tbody>
</table>

### Excess Revenue Over Expenses

<table>
<thead>
<tr>
<th>Excess Revenue Over Expenses</th>
<th>Current Fiscal Year</th>
<th>% of</th>
<th>Prior Fiscal Year</th>
<th>% of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excess Revenue Over Expenses</td>
<td>$ 35,874</td>
<td></td>
<td>$ 97,217</td>
<td></td>
</tr>
</tbody>
</table>

*Espresso bar (Laker Cafe) in Harrison Campus was temporarily closed due to construction and reopened on January 27, 2020.
Both Harrison Laker Cafe and Mt. Pleasant (included in bookstore operations) cafe locations closed beginning March 11, 2020 due to stay-at-home order, until further notice.
Mid Michigan College
Contributions
May 2020

YTD Top Contribution Totals in 2020:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Curr YR</th>
<th>Prior YR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lakers Academic Fund</td>
<td>$92,293</td>
<td></td>
</tr>
<tr>
<td>David Terry Occupational Scholarship</td>
<td>$50,474</td>
<td></td>
</tr>
<tr>
<td>Gerstacker Fund</td>
<td>$30,000</td>
<td></td>
</tr>
<tr>
<td>General Fund (Unrestricted)</td>
<td>$20,855</td>
<td></td>
</tr>
<tr>
<td>Lakers Leadership Fund</td>
<td>$19,781</td>
<td></td>
</tr>
<tr>
<td>Lakers Athletic Fund &amp; Other Athletics</td>
<td>$12,444</td>
<td></td>
</tr>
<tr>
<td>Suresh Family Scholarship</td>
<td>$10,500</td>
<td></td>
</tr>
<tr>
<td>Health Sciences Fund</td>
<td>$5,020</td>
<td></td>
</tr>
<tr>
<td>Kathleen Kehoe Memorial Scholarship</td>
<td>$5,000</td>
<td></td>
</tr>
<tr>
<td>Other Funds</td>
<td>$19,655</td>
<td></td>
</tr>
</tbody>
</table>

YTD Total

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>YTD Total</strong></td>
</tr>
<tr>
<td><strong>$266,022</strong></td>
</tr>
</tbody>
</table>
TO: Board of Trustees

FROM: Lori Fassett, Associate VP of Human Resources

SUBJECT: Staffing Update, June 23, 2020 Board Meeting

DATE: June 10, 2020

FULL-TIME NEW HIRES:
Tim Hood – President 
Effective: 07/01/2020

Tim brings to Mid experience as the President at Highland Community College (HCC) in northwest Illinois since 2011. Before becoming Highland’s eighth President in 2015, he served as Vice President of Academics/Chief Academic Officer (CAO) from 2011-2014, then as Executive Vice President/CAO. Before coming to Highland, he served from 2006-2011 at Kaskaskia College (KC) in southern Illinois as Vice President of Instruction/CAO for three years, after being promoted from Dean of Corporate Training and Community Education. Welcome to the Mid family Tim!

NEW PART-TIME AND STUDENT EMPLOYEES:
Robert Bejesky – Adjunct Economics (EDUStaff) 
Effective: 03/16/2020

Lori Robb – Dental Assisting Instructor (EDUStaff) 
Effective: 07/01/2020

Darrick Brake – Adjunct Social Science (EDUStaff) 
Effective: 08/20/2020

Beverly George – Adjunct Mathematics (EDUStaff) 
Effective: 02/21/2020

Sarah Lee – Adjunct Computed Tomography (EDUStaff) 
Effective: 08/22/2020

Denise Phillips – Adjunct Computed Tomography (EDUStaff) 
Effective: 08/22/2020

Dan Retberg – Adjunct Arts (EDUStaff) 
Effective: 02/21/2020

Tim Theisen – Adjunct Criminal Justice (EDUStaff) 
Effective: 03/31/2020

INTERNAL TRANSFERS:

N/A
SEPARATIONS:

Jeremy Fassett – Temp Maintenance (EDUStaff)  Effective: 04/17/2020
Clara Agardy – Adjunct Health Education (EDUStaff)  Effective: 05/11/2020
Christina Haynes – Nursing Skills Lab Assistant (EDUStaff)  Effective: 01/01/2020
Brian Humm – Studio Intern II (EDUStaff)  Effective: 05/11/2020
Kyle Schafer – Adjunct Graphic Design (EDUStaff)  Effective: 05/11/2020
Caroline Cameron – Student Worker Admissions  Effective: 05/08/2020
David Clark – Work Study IT  Effective: 05/08/2020
Andrew Francis – Work Study IT  Effective: 05/08/2020
Angela Gesinski – Work Study Human Resources  Effective: 05/07/2020
Taylor Inscho – Work Study Off Campus  Effective: 05/08/2020
Brianna McQuiston – Work Study Admissions  Effective: 05/08/2020
Angela Parsons – Work Study Academics  Effective: 05/08/2020
Adam Pung – Work Study Admissions  Effective: 05/08/2020
Austin Rios – Student Worker IT  Effective: 05/08/2020
Krystal Steele – Work Study Off Campus  Effective: 05/08/2020
Leslie Wadle – Work Study Career Center  Effective: 05/09/2020
Jessica Wicks – Adjunct Instructor Social Science  Effective: 01/10/2020
Gabriel Wilde – IT Intern II  Effective: 05/08/2020
Lisa Gatti-Arnold – FT Nursing Faculty  Effective: 05/13/2020
Laurie Lowe – Adjunct Science  
Effective: 05/331/2020

Sapha Haasan – Adjunct Health Education (EDUStaff)  
Effective: 06/01/2020

**VACANCIES:**

- Adjunct Computer-Aided Drafting (CAD), Mecosta-Osceola ISD (part-time)  
  Posted
- Adjunct Computer-Aided Drafting (CAD) (part-time)  
  Posted
- Adjunct Early Childhood Education, Clinton County RESA (part-time)  
  Posted
- Adjunct Computed Tomography (CT) (part-time)  
  Posted
- Adjunct English, Big Rapids (part-time)  
  Posted
- Adjunct Health Education, Dewitt HS (part-time)  
  Posted
- Adjunct Math, Big Rapids, Tuscola ISD (part-time)  
  Posted
- Adjunct Political Science or History, Caro (part-time)  
  Posted
- Adjunct Psychology, multiple off-campus sites (part-time)  
  Posted
- Adjunct Sociology, Big Rapids, Caro (part-time)  
  Posted
- Adjunct Speech, Bad Axe, Big Rapids (part-time)  
  Posted
- Adjunct Welding, Clinton County RESA/Ovid-Elsie (part-time)  
  Posted
- Anatomy/Physiology Faculty (full-time)  
  Filled
- Certified Nursing Aid (CNA) Instructor – Bad Axe (part-time)  
  Posted
- Dental Assisting Instructor – Gladwin, MI (part-time)  
  Filled
- Economics/Business Faculty (full-time)  
  Filled
- HRA Lab Technician (part-time)  
  Posted
- Mid College Assistant, Tuscola ISD (part-time)  
  Posted
Mid College Assistant, Huron ISD (part-time)  Posted
Mid College Assistant, Mecosta/Osceola ISD (part-time)  Posted
Nursing Faculty (full-time)  Filled
Unfinished Business

Item V-A: Enrollment Report

Presenter: Matt Miller

Board Consideration: Information

Vice President of Student Services Matt Miller will present the latest Fall enrollment report update.

Recommendation:
None, informational.
Announcements may be made at this time.

- Mary Battaglia will be officially retiring from Mid on August 31, 2020. We would like to thank Mary for all of her hard work and dedication to Mid Michigan College and wish her the best in her future endeavors. The Board voted on March 12, 2019 that, “In consideration of her willingness to remain in her position, the Board will extend the retirement benefits as outlined in Board policy 407.08” therefore no motion to take such action is needed during this meeting.

- Normally during the workshop session of this meeting we would have celebrated the achievements of the PTK All-Michigan Awards. Mid Michigan College would like to recognize Austin Raymond, Saran Bagayoko and Shelby Raymond on receiving this award!

Pictured Left to Right: Austin Raymond, Shelby Raymond, Saran Bagayoko

Recommendation:
None, informational.
New Business

Item VI-B: B-Cubed Biggby Coffee at Pickard

Presenter: Scott Mertes Board Consideration: Information/Action

Vice President of Community Outreach and Advancement Scott Mertes will present the Board with a proposal to locate a B-Cubed Biggby Coffee Station in the Pickard parking lot. This coffee station is a self contained building and does not require access to the Pickard Building itself. The proposed location was selected because of the ease of access to utilities and will still allow Mid access to all of the parking spaces and enable us to continue offering truck driving classes at that location.

Recommendation:
The Board will consider the proposal and may decide to take action.
New Business

Item VI-C: Resolution Certifying Millage

Presenter: Lillian Frick  
Board Consideration: Information/Action

Vice President of Finance and Facilities Lillian Frick will present the resolution to certify the millage levy. The General Property Tax Act requires that each unit certify its millage to the collecting units. A resolution certifying such is attached for Board approval.

Recommendation:

It is recommended that the Board certify its allowable millage rate as reflected in the resolution by a roll call vote.
A Regular Meeting of the Board of Trustees of said community college district was held on the 23rd day of June, 2020 at seven o’clock, p.m.

The meeting was called to order by the Board Chair, Douglas A. Jacobson

Present: Trustees

Absent:

The following preamble and resolution were offered by Trustee ______________ and supported by Trustee ______________.

WHEREAS, this Board of Trustees has been advised by the County Equalization Directors that the state taxable valuation for the 2020 tax year of property located within the community college district is $2,085,119,351 and,

WHEREAS this Board of Trustees, after careful examination of its estimated revenues based on state taxable valuation, has determined that the best interests of the community college require the levy of 1.2232 mils from the community college district for operating purposes for the ensuing year.

NOW, THEREFORE BE IT RESOLVED THAT:

This Board of Trustees certifies the levy of 1.2232 mils for operating purposes in 2020.

Ayes: Trustees_________________________________________________________

Nays: ______________________________________________________________

Resolution declared adopted.

____________________________________________________
Richard S. Allen, Jr., Board Secretary

I, the undersigned, Secretary of the Board of Trustees, Mid Michigan College, Michigan, do hereby certify that the foregoing is a true and completed copy of a resolution adopted by the Board of Trustees of Mid Michigan College at its Regular Meeting held on June 23, 2020 the original of which is part of the Board’s minutes.

____________________________________________________
Richard S. Allen, Jr., Board Secretary
New Business

Item VI-D: 2020-2021 Budget

Presenter: Lillian Frick  
Board Consideration: Information/Action

Vice President of Finance and Facilities Lillian Frick will present the proposed budget for the 2020-2021 fiscal year.

Recommendation:

It is recommended that the Board approve the budget as presented.
# Mid Michigan Community College

## General Fund Budget

**Fiscal Years Ending 6/30/20 & 6/30/21**

### Proposed Budget

<table>
<thead>
<tr>
<th></th>
<th>2019-20 Budget</th>
<th>2020-21 Budget</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPERATING REVENUE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuition and Fees</td>
<td>$17,036,862</td>
<td>$16,413,779</td>
<td>$(623,083)</td>
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<tr>
<td>Auxiliary Services</td>
<td>$1,321,377</td>
<td>$1,189,239</td>
<td>$(132,138)</td>
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<tr>
<td>Miscellaneous</td>
<td>$170,000</td>
<td>$170,000</td>
<td>$0</td>
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<tr>
<td><strong>Total operating revenue</strong></td>
<td>$18,528,239</td>
<td>$17,773,018</td>
<td>$(755,221)</td>
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<tr>
<td><strong>NON-OPERATING REVENUE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Appropriations</td>
<td>$5,324,500</td>
<td>$4,792,050</td>
<td>$(532,450)</td>
</tr>
<tr>
<td>State Appropriations-UAAL</td>
<td>$1,328,888</td>
<td>$1,328,888</td>
<td>$0</td>
</tr>
<tr>
<td>Property Taxes</td>
<td>$2,508,446</td>
<td>$2,490,446</td>
<td>$(18,000)</td>
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<tr>
<td>Investment Income</td>
<td>$200,000</td>
<td>$100,000</td>
<td>$(100,000)</td>
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<tr>
<td><strong>Total non-operating revenue</strong></td>
<td>$9,361,834</td>
<td>$8,711,384</td>
<td>$(650,450)</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td>$27,890,073</td>
<td>$26,484,402</td>
<td>$(1,405,671)</td>
</tr>
</tbody>
</table>

| **OPERATING EXPENSES**   |                |                |              |
| Instruction              | $9,332,239     | $9,781,346     | $449,107     |
| Information Tech         | $1,515,287     | $1,402,802     | $(112,485)   |
| Public Service           | $796,975       | $647,494       | $(149,481)   |
| Instructional Support    | $2,199,635     | $1,783,556     | $(416,079)   |
| Student Services         | $2,947,402     | $2,796,565     | $(150,837)   |
| Auxiliary                | $1,203,331     | $1,074,494     | $(128,837)   |
| Institutional Admin      | $3,975,661     | $3,944,437     | $(31,224)    |
| Physical Plant           | $2,631,013     | $2,380,991     | $(250,022)   |
| MPSERS UAAL              | $1,328,888     | $1,328,888     | $0           |
| **Total-Operating Expenses** | $25,930,431   | $25,140,799    | $(789,632)   |
| **Contingencies**        |                |                |              |
| Institutional            | $598,372       | $373,000       | $(225,372)   |
| M&R                      | $35,000        | $35,000        | $0           |
| **Subtotal Contingencies** | $633,372      | $408,000       | $(225,372)   |

**Total Expenses**  
$26,563,803

**Revenues over Expenses-Before Transfers**  
$1,326,270

**TRANSFERS TO/(FROM) OTHER FUNDS:**

<table>
<thead>
<tr>
<th></th>
<th>2019-20 Budget</th>
<th>2020-21 Budget</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building &amp; Site - Bond Debt Service</td>
<td>$361,270</td>
<td>$770,603</td>
<td>$409,333</td>
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<tr>
<td>Building &amp; Site - Planned Savings</td>
<td>$810,000</td>
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<td>$(810,000)</td>
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<tr>
<td>Restricted Grant Match</td>
<td>$155,000</td>
<td>$165,000</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

**Total transfers to other funds**  
$1,326,270

**Net Revenues over Expenses**  
$(0)
New Business

Item VI-E: Annexation

Presenter: Scott Mertes  
Board Consideration: Information

Vice President of Community Outreach and Advancement Scott Mertes will present information regarding the Annexation Ballot Language created by Thrun Law Firm for consideration by the Board leading up to the November 3, 2020 election.

Recommendation:
The Board will consider the proposal and may decide to take action or at a future meeting.
June 22, 2020

Via Email (chammond@midmich.edu)

Dr. Christine M. Hammond
President
Mid Michigan College
1375 S. Clare Avenue
Harrison, Michigan 48625-9447

Re: Special College Election on Tuesday, November 3, 2020

Dear Dr. Hammond:

Enclosed are the following:

1. Four copies of a resolution relative to calling the special election to be adopted by your Board at its upcoming meeting. Before adopting the resolution, the name of the newspaper of general circulation within the territory to be annexed the Board prefers for publication of notices must be inserted in Paragraph 3a. Upon adoption, have all copies completed and provide one copy to the election coordinator and one copy to the County clerk(s) for the area to be annexed, retain one copy with the minutes of your Board meeting and return the remaining copy to me.

READ THE BALLOT PROPOSITION LANGUAGE CAREFULLY BEFORE THE BOARD ADOPTS THE RESOLUTION TO ENSURE THE LANGUAGE IS CORRECT. Please do not re-type the ballot language in the resolution or remove any of the exhibits from the resolution. The deadline for certification of the ballot to the County clerk(s) is Tuesday, August 11, 2020, before 4:00 p.m., though I understand the Board desires an earlier filing date.

Make certain that the enclosed resolution is adopted at a legal meeting of your board; preferably, a meeting at which all members are present. In addition, public notice of a special board meeting or a rescheduled regular board meeting must be posted more than 18 hours prior to that meeting and, if the College includes monthly or more frequent board agenda and/or minutes updates on its website, posted on the home page of the College’s website. If the resolution is adopted at a special or rescheduled regular meeting, please furnish me with: a) a signed copy of the written call for the special or rescheduled regular meeting; b) an affidavit as to method of service used; c) a copy of the public notice as posted; d) an affidavit regarding the physical posting of the public notice; and e) an affidavit regarding posting of the public notice on the College’s website.
2. An Affidavit of Internet Website Posting of Electronic Meeting. There are special internet based notice requirements relative to holding meetings remotely pursuant to the Governor’s Executive Order. Those requirements are as follows if the district maintains an official internet presence:

   a. Post advance notice of a meeting to be held electronically on a portion of the public body’s website that is fully accessible to the public. That notice must be posted either on the district’s homepage or on a separate webpage dedicated to public notices for non-regularly scheduled public meetings or electronic meetings and accessible through a prominent and conspicuous link on the website’s homepage that clearly describes its purpose for public notification of those non-regularly scheduled or electronic public meetings. Notice of a meeting of a public body that will be held electronically must include:

      i. A reason why the public body is meeting electronically.

      ii. Detailed procedures by which the public may participate in the meeting electronically, including a telephone number, internet address, or both.

      iii. Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.

      iv. Procedures by which persons with disabilities may participate in the meeting.

   Print a screenshot of the internet-based posting and complete the attached Affidavit regarding posting of electronic meeting notice.

3. A form of Certification which, along with a copy of the adopted resolution and assembled exhibits, must be filed with County clerk(s) of the territory to be annexed, by personal delivery, facsimile or other type of delivery utilizing a tracking system (i.e., express, FedEx, UPS, etc.) for receipt on or before 4:00 p.m. on Tuesday, August 11, 2020. The purpose of the Certification of Ballot Proposition form is to provide the College with documentation that the certified copy of the ballot language was forwarded to the County clerk(s) before the applicable election law deadline. FAILURE TO FILE THE RESOLUTION AND CERTIFICATION ON A TIMELY BASIS WILL JEOPARDIZE THE COLLEGE’S ABILITY TO PLACE A PROPOSITION ON THE BALLOT FOR THE ELECTION ON TUESDAY, NOVEMBER 3, 2020. Be sure to verify the hours of operation for the offices of the County clerk(s) to ensure timely delivery.

   Please return a copy of the resolution and signed Certification to this office for our file.

4. A suggested calendar.
5. A copy of a detailed document addressing campaign financing requirements, particularly with respect to a governmental entity’s compliance with the requirements of the Campaign Finance Act.

Under Section 57 of the Campaign Finance Act, a public entity may not use public dollars for advocacy in relation to a ballot question. As such, a public entity may not spend public dollars or use public resources/assets (including staff time) on communications that urge a “yes” vote on that question. Should you have any questions regarding the attached or if you would like to schedule a conference call to discuss the implications of Section 57 on your particular election, please contact me.

Further, please forward to me any materials to be issued for the informational campaigning for review prior to distribution.

Posting Notices

While the election law does not require registration and election notices to be posted, it is our recommendation that because a millage proposition will be presented at this election, notices be posted as a safeguard against an error in or a failure of publication. Those should be posted in the territory proposed to be annexed.

Proof Ballots

It is essential that a proof copy of the ballot language be obtained prior to publication of the ballots. When the proof copy is received, please immediately forward a copy to me for review. If you do not receive a ballot proof by Friday, September 4, 2020, please contact me immediately. As the election clerks know, ballots must be available for absentee voting not later than Saturday, September 19, 2020.

You should begin discussions as soon as possible with the relevant County clerk(s) for the purpose of coordinating this election under the election consolidation law and to determine if there are additional requirements with which we may assist.

Very truly yours,

THRUN LAW FIRM, P.C.

By [Signature]

Christopher J. Iamarino

CJI/jmw

Enclosures
1. **Tuesday, June 23, 2020** - Board of Trustees meeting to adopt the resolution calling the election.

2. **On or before 4:00 p.m. on Tuesday, August 11, 2020** - Forward ballot wording and resolution to County Clerk(s). **Failure to timely file a certified copy of ballot language may jeopardize the College’s ability to place the questions on the ballot.**

3. **On or before Saturday, September 19, 2020** - Absent voter ballots must be available.

4. **On or before Monday, October 5, 2020** - Registration notice must be published by the County Clerk(s) once in a newspaper of general circulation in the territory proposed to be annexed.

5. **On or before Monday, October 19, 2020** - Last day for voters to register by mail. Voters may register in person through **Tuesday, November 3, 2020** (election day) with the required documentation.

6. **On or before Tuesday, October 27, 2020** - Election notice must be published by the County Clerk(s) once in a newspaper of general circulation in the territory proposed to be annexed.

7. Election clerk offices must be open for at least 8 hours on the last Saturday (**October 31, 2020**) and/or Sunday (**November 1, 2020**) before the election to issue and receive absent voter ballots. The election clerk must post notice of those date(s) and time(s) at least 30 days before the election.

8. **Tuesday, November 3, 2020** - The polls of election will open at 7:00 a.m. and close at 8:00 p.m.
AFFIDAVIT OF INTERNET WEBSITE POSTING OF
PUBLIC NOTICE OF ELECTRONIC MEETING
OF THE BOARD OF TRUSTEES

STATE OF MICHIGAN )
COUNTY OF ______________ )ss

The undersigned, being first duly sworn, deposes and says that he/she did verify that on the
website homepage of the College was posted a public notice of a regular meeting of the Board of
Trustees of Mid Michigan College, Michigan, to be held electronically on:

Date of Meeting: ____________________, 2020
Hour of Meeting __________ o’clock, _____m.

prior to the meeting, a true copy of that website notice is hereto attached.

____________________________________

Subscribed and sworn to before me this
_______ day of ________________, 2020.

_______________________________
Notary Public in and for the County of
___________________________, State of Michigan
Acting in the County of _________________

My Commission expires ____________________, 20____
CERTIFICATION OF BALLOT PROPOSITION

TO: ______________________

In compliance with Public Act 116, Public Acts of Michigan, 1954, as amended (the “Act”), attached is a certified copy of the ballot proposition language approved by the Board of Trustees of Mid Michigan College to be placed before the voters at the election to be held on Tuesday, November 3, 2020.

Pursuant to the Act, a summary of the ballot proposition and an address where the full text of the proposal may be obtained must be included in the registration and election notices.

Please provide us with a proof copy of the ballot proposition language prior to printing the ballots.

Dated: ______________________   By ________________________________
          Secretary, Board of Trustees
Mid Michigan College, Michigan (the “College”)

A regular meeting of the board of trustees of the College (the “Board”) was held:

☐ in the ______________________________, within the boundaries of the College district,

☐ electronically pursuant to Executive Order through ___________ with identification number ______
on the 23rd day of June, 2020, at ____ o’clock in the __.m.

The meeting was called to order by ______________________, Chairperson.

Present: Trustees

Absent: Trustees

The following preamble and resolution were offered by Trustee _______________ and supported by Trustee ________________:

WHEREAS:

1. This Board intends to submit one or more propositions at a special election to be held on Tuesday, November 3, 2020 related to the matter of a proposed annexation.

2. On or before 4:00 p.m. on Tuesday, August 11, 2020, the Board shall certify any ballot proposition to be submitted to the voters at such election to the county clerk(s) of every county in which territory proposed to be annexed is located (the “Clerks”).

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A special election of the electors of the territory proposed to be annexed be called and held on Tuesday, November 3, 2020.

2. The propositions to be voted on at the special election shall be stated on the ballots in substantially the form as set forth in Exhibit A.

3. The Clerks are requested to:

a. Utilize ______________________, a newspaper published or of general circulation within the territory proposed to be annexed, for publication of notices in accordance with the election law requirements.

b. Utilize ballot proposition summary information, as prepared by legal counsel, in the forms of the notices of last day of registration and election in substantially the form as set forth in Exhibit B attached hereto.

c. Provide a proof copy of the ballots to the College and its legal counsel in sufficient time to allow the ballots to be proofread prior to printing.
4. The Secretary of this Board is hereby authorized and directed to file a copy of this resolution with the Clerks or other clerks designated to conduct elections within the territory proposed to be annexed by 4:00 p.m., on Tuesday, August 11, 2020 and as otherwise required by law.

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: Trustees

Nays: Trustees

Resolution declared adopted.

Secretary, Board of Trustees

The undersigned duly qualified and acting Secretary of the Board of Trustees of Mid Michigan College, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at a regular meeting held on June 23, 2020, the original of which is part of the Board’s minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the “Open Meetings Act” (Act 267, Public Acts of Michigan, 1976, as amended).

Secretary, Board of Trustees

CJI/jmw
EXHIBIT A

I. MID MICHIGAN COLLEGE ANNEXATION PROPOSITION

Shall Mid Michigan College, Michigan, annex the territory of Gratiot-Isabella Regional Education Service District, Michigan that is not already included in a community college district?

II. MID MICHIGAN COLLEGE ADOPTION OF MID MICHIGAN COLLEGE MAXIMUM TAX RATE IN ANNEXED TERRITORY

To provide funds for Mid Michigan College, Michigan, shall the limitation on the amount of taxes which may be assessed against all property in the proposed annexed territory of Gratiot-Isabella Regional Education Service District, Michigan, be increased in perpetuity by 1.2232 mills ($1.2232 on each $1,000 of taxable valuation), representing the community college district charter millage; the estimate of the revenue the community college district will collect within the annexed territory of the intermediate school district if the millage is approved and levied in 2020 is approximately $3,110,000?
EXHIBIT B

SUMMARIES OF BALLOT PROPOSITIONS TO BE INSERTED IN THE NOTICES OF LAST DAY OF REGISTRATION AND ELECTION:

I. MID MICHIGAN COLLEGE

ANNEXATION PROPOSAL TO ANNEX THE TERRITORY OF GRATIOT-ISABELLA REGIONAL EDUCATION SERVICE DISTRICT

II. MID MICHIGAN COLLEGE

PROPOSAL TO ADOPT MID MICHIGAN COLLEGE MAXIMUM TAX RATE BY THE ANNEXED TERRITORY OF GRATIOT-ISABELLA REGIONAL EDUCATION SERVICE DISTRICT
1.2232 MILLS IN PERPETUITY

Full text of the ballot propositions may be obtained at the administrative offices of Mid Michigan College, 1375 S. Clare Avenue, Harrison, Michigan 48625-9447, telephone: (989) 386-6622.
CAMPAIGN FINANCE ACT – FREQUENTLY ASKED QUESTIONS

Section 57 of the Michigan Campaign Finance Act, Public Act 388 of 1976, MCL 169.257, governs the activities of public bodies, elected or appointed public officials, and individuals acting for or employed by public bodies by limiting the ways in which public funds or public resources may be used to support or oppose a candidate or ballot question. Below are common questions concerning Section 57 and Michigan Election Law.

The answers are of a general nature. This information is not intended to provide legal advice or an opinion about specific matters, facts, or situations. Future legal developments may affect these topics. The reader is encouraged to contact legal counsel to discuss specific matters or issues as they arise.

GENERAL OVERVIEW

The Michigan Secretary of State’s (“SOS”) Compliance and Rules Division is responsible for the interpretation, application, and enforcement of Section 57. Investigations usually occur after a complaint is filed. Penalties may include a warning letter, substantial fines imposed on individuals or the public body, and/or misdemeanor charges.

1. ACTIVITIES/EXPENDITURE OF PUBLIC FUNDS

1.1. Are public bodies authorized to spend public funds or use public resources to advocate passage or defeat of a proposition?

No. Section 57 expressly prohibits a public body or individual acting for a public body from using or authorizing the use of funds, personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies, or other public resources that constitute a “contribution” or “expenditure” as defined by Michigan law or to provide volunteer personal services to support or oppose a candidate or ballot question.

1.2. What is a “contribution” or “expenditure” under Michigan Election Law?

“Contribution” means a payment, gift, subscription, assessment, expenditure, contract, payment for services, dues, advance, forbearance, loan, donation of money or anything of ascertainable monetary value, or a transfer of anything of ascertainable monetary value to a person, made for the purpose of influencing the nomination or election of a candidate, for the qualification, passage, or defeat of a ballot question, or for the qualification of a new political party.

“Expenditure” means a payment, donation, loan, or promise of payment of money or anything of ascertainable monetary value for goods, materials, services, or facilities in assistance of, or in opposition to, the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.

1.3. What are some examples of expenditures?

- A contribution of anything of ascertainable monetary value for purposes of influencing the qualification, passage, or defeat of a ballot question.
- Voter registration or get-out-the-vote activities unless the activity is non-partisan voter registration or non-partisan get-out-the-vote activities made by a 501(c)(3) organization or by the SOS or other registration officials.

1.4. What is meant by “for the purposes of influencing” the passage or defeat of a ballot question? Aren’t all activities influential in some way?

Relying on the U.S. Supreme Court’s interpretation of federal campaign finance laws, the SOS defines the term “influencing” by using an “express advocacy” standard. When applying the “express advocacy” test to communications produced with public funds or public resources, the SOS reviews the communication within the four corners and, in certain circumstances, will look behind the creation or production of the communication to determine if there has been a violation. The SOS has concluded that the following terms violate the express advocacy test:

- “Vote For” or “Vote Against”
- “Elect” or “Defeat”

©2020 Thrun Law Firm, P.C.
• “Support the Continuation of”
• “Support” or “Oppose”
• “Vote Yes” or “Vote No”

1.5. **What types of activities are permitted under Section 57?**

Section 57(1)(a)-(f) outline exceptions to the general rule prohibiting public funds or public resources from being used to influence a ballot question or candidate. The SOS has interpreted these permitted activities as being limited in nature. Below are those exceptions.

(a) The expression of views by an elected or appointed public official who has policy-making responsibilities.

(b) The production or dissemination of factual information concerning issues relevant to the function of the public body.

(c) The production or dissemination of debates, interviews, commentary, or information by a broadcasting station, newspaper, magazine, or other periodical or publication in the regular course of broadcasting or publication.

(d) The use of a public facility owned or leased by, or on behalf of, a public body if any candidate or committee has an equal opportunity to use the public facility.

(e) The use of a public facility owned or leased by, or on behalf of, a public body if that facility is primarily used as a family dwelling and is not used to conduct a fundraising event.

(f) An elected or appointed public official or an employee of a public body who, when not acting for a public body but is on his or her own personal time, is expressing his or her personal views, is expending his or her personal funds, or is providing his or her own personal volunteer services.

Additional information pertaining to permitted activities can be found under “Employee Activities” and “Relationship with Advocacy Committees” below.

1.6. **May the board adopt a resolution expressing its support for a ballot proposition and encourage its voters to vote “yes”?**

Yes. A governing body may adopt a resolution supporting a proposition under Section 57(1)(a) above. However, the SOS determined that the governing body may only publicize that board action through the ordinary means that it publicizes other board actions, such as recording the action in its meeting minutes, posting the minutes on its website, or publishing copies of the meeting minutes in its customary fashion. Using public resources to distribute or publicize the resolution beyond its customary fashion of disseminating the resolution would result in a violation.

1.7. **What about the Chancellor? He or she is an appointed public official. Is the Chancellor authorized to express his or her viewpoint during the business day and/or use public resources to disseminate that viewpoint?**

This is a tricky issue, and the answer depends upon the specific circumstances. When a Chancellor is on his or her free time and not serving in any official capacity, the Chancellor may express any viewpoint about the proposition, so long as he or she does not use public resources to do so. However, when acting in an official capacity, the standard in Section 57 depends upon whether the Chancellor has policy-making responsibilities. Whether the Chancellor has such responsibilities depends upon the Superintendent’s job description, relevant board policies and practices, and day-to-day functions. The Chancellor may always, however, communicate factual information about a ballot question that is relevant to the district. Relying upon the SOS’s Interpretative Statement referenced above, we believe it is highly likely that the SOS would conclude that public resources may not be used to broadly disseminate the Chancellor’s viewpoint regardless of whether the Chancellor is a true policy maker. Accordingly, when in doubt, we recommend that the Chancellor, when acting in his or her official capacity, convey compelling factual information and allow the elected board members to advocate for the proposition.
1.8. Is the public body authorized to use its general fund monies or other public resources to disseminate flyers or other publications to its community about an upcoming proposition?

Yes, but with limitations. The public body is authorized to use its resources to produce and disseminate factual information concerning issues relevant to the function of the public body. Public bodies should avoid language that could be construed as opinion or not factual in nature and should steer clear of any language that could be interpreted as “express advocacy.” Although the SOS has not issued an interpretative statement on this distinction, Thrun Law Firm recommends that material contain only factual information to stay within the clear parameters of this exemption to avoid a potential complaint.

Of course, information can be both compelling and factual. Examples of permitted, compelling factual statements follow:

Example 1: “Building X’s roof was last replaced in 1990. According to the public body’s architect, the structural integrity of the roof is failing and failure to replace the roof will continue to cause significant deterioration of the interior walls, windows, and fascia. Unless the roof is replaced, the building’s integrity will eventually fail. The proposed roof system has a useful life of 20+ years and will also result in projected energy savings.”

Example 2: “The current entryways to all of our buildings lack any type of security access points or systems that provide physical security for our buildings. The proposed security system will cover the three “D’s” of physical security: Discern, Delay and Disrupt. Discern means…”

1.9. May flyers and other information be sent home in students’ backpacks or distributed at school-sponsored events?

Yes, if the public body’s flyers contain only factual information. If the materials are from a third party other than the public body (i.e., “vote yes” committee or an individual), check board policy regarding distribution of literature on grounds or at sponsored events to determine if a third party’s distribution of materials is compliant. If the policy is silent or ambiguous, contact legal counsel for advice.

1.10. We regularly publish a monthly newsletter to our community. May the newsletter include a column from the Chancellor or board chair asking voters to support the proposition?

Again, this is a tricky issue which has not been addressed by the SOS in any recent Interpretative Statement. The exception in Section 57(1)(c) allows the production or dissemination of debates, interviews, commentary, or information by a periodical or publication in the regular course of broadcasting or publication. On its face, exception Section 57(1)(c) seems to apply; however, it is unclear how the SOS may rule if a complaint is filed given the SOS’s recent interpretation of Section 57(1)(a) prohibiting the use of public resources to widely disseminate a viewpoint. Until clear direction is given by the SOS, we recommend that a public body consider a column that does not expressly advocate support or contain a “vote yes” message but, instead, provides compelling factual information and encourages residents to vote.

1.11. Are there identification requirements for literature, brochures, or other materials that the public body produces and disseminates?

Yes, in certain circumstances. According to the SOS’s Ballot Question Manual, Appendix J, the phrase “paid for by” followed by the name, address and zip code must be included in certain materials listed below if circulated within 60 days before a November even-year election or 30 days before a primary election in which the question appears on the ballot. Example: “Paid for by ABC College, 100 Learners Avenue, Small City, Michigan 50001.” The types of materials are:

- Radio, television, mass mailing (U.S. mail or facsimile of more than 500 pieces of identical or substantially similar communications within any 30-day period), or pre-recorded telephone messages
- Printed matter such as yard signs, brochures, billboards, posters, business cards, or stationery
- Paid advertisements – the advertisement must contain an identifier that is clear to the reader or listener and that includes this specific wording: “This advertisement was paid for by ABC College, 100 Learners Avenue, Small City, Michigan 50001”.

© 2020 Thrun Law Firm, P.C. Page 3 of 8
The Ballot Question Manual also provides other points to consider:

- Electronic media such as web sites, Facebook, Twitter, etc., are not specifically exempt from the identifier requirements.
- An individual is not subject to the identification requirement provision as it relates to printed matter only if the individual is acting independently and not acting as an agent for the public body or a “vote yes” or “vote no” organization.
- The identification or disclaimer on printed material must be in a place and in a print clearly visible to and readable by an observer.

1.12. We have a home basketball game the weekend before the election date. Is the public body allowed to have a booth at the game with factual information about the proposition and run by parent volunteers?

Yes. If a “vote yes” or “vote no” group requests a similar booth, the public body must review its board policies regarding distribution of political literature at sponsored events. We recommend that you seek legal counsel if the policy is unclear or requires discretionary judgment by the Chancellor. Any decision may inadvertently impact the public body’s ability in the future to have a limited open forum or closed forum.

1.13. I am an instructor. May I have the students debate the merits of the proposition in class as an academic exercise?

Yes, provided both sides of the issue are represented and the intent is not to disseminate the debate for purposes of advocating support for or opposition to the proposition. Otherwise, students may not be involved by the public body in any campaign activities for or against a proposition during a regularly scheduled academic period or use the public body’s resources for campaign activities with students.

1.14. Our public body owns a radio and public television station that broadcasts news content and commentary on a regular basis. Is the station permitted to broadcast a debate about the merits of the proposition?

Yes. In our opinion, this activity falls squarely within exemption 1(c) of Section 57 and would pass muster with the SOS provided that the activity is in the regular course of broadcasting.

2. EMPLOYEE ACTIVITIES

2.1. As a public body employee, may I participate in political activities outside of the academic day? I would like to volunteer for a “vote yes” committee on my own free time.

Yes. Section 57(1)(f) provides that elected or appointed public officials and employees may be involved in campaign activities for or against propositions provided that they are not acting for the public body but are on their own personal time, expressing their own views, expending their own personal funds or providing their own personal volunteer services.\(^1\) The SOS’s Ballot Question Manual, Appendix I states, in part:

The inclusion of Section 57 in the [Campaign Finance Act] does not restrict the constitutionally protected right to associate or to engage in political speech. It is intended to prevent those who control public resources from using those resources to influence the outcome of an election. It is up to the people and not public bodies to decide elections. This means that a public body is prohibited in participating in elections for State and Local Ballot Questions... . The prohibition includes, but is not limited to the use of personnel, office space, computer hardware or software, property, stationery, postage, vehicles, equipment, supplies; provide volunteer personal services or other public resources... .

- A public body is prohibited from displaying political signs, brochures, pamphlets, etc., in any governmental building or government property.

\(^1\) The Political Activities by Public Employees Act (Act 169 of 1976) also prohibits public employees from actively engaging in political activities on behalf of a candidate or issue in connection with partisan or nonpartisan elections during those hours when that person is being compensated for the performance of that person’s duties as a public employee.
• Public officeholders and other public bodies are prohibited from using their office email and phones for campaign purposes.

2.2. May I wear a button or t-shirt during instructional time or to a sponsored event (while on duty) that states “Vote Yes” or “Vote No”?

No. This would most likely be a violation of Section 57. However, you may wear a button or t-shirt that states “Vote on [insert Election Date here]”.

2.3. We have end-of-year activities scheduled next week. May I provide informational literature prepared by the public body during the activities to remind potential voters of the election date?

Yes, provided that the materials are factual information only and not advocating a particular position on the proposition.

2.4. May I help with the public body’s factual information campaign during the work day?

Yes, provided that it does not conflict with your other identified job duties or spill over into express advocacy activities.

3. PUBLIC BODY’S RELATIONSHIP WITH ADVOCACY COMMITTEES

3.1. We have a group of enthusiastic supporters who want to form a “Support our Cherished Students or Be Shunned” committee to advocate a “yes” vote on the proposition. Is the public body authorized to provide administrative support to the committee?

If the committee will advocate support for the proposition, no public resources, personnel, or other administrative assistance may be given to the committee whatsoever. However, public body employees (including administrators and board members) may volunteer on the committee outside of the academic day when not serving in their official capacity, donate personal funds to the committee, or provide personal services to the committee. It is important to clearly delineate when employees are serving in their official capacity or when they are serving in their personal capacity. The committee should have no more access to public facilities than any other community group. These separate committees may also have reporting and other obligations under Michigan law.

3.2. Am I limited in my communications with members of a ballot question advocacy committee during the academic day?

Campaign strategy and volunteer work for an advocacy committee may not occur while the individual is on duty during a normal work day. For example, a public body employee should not communicate with a ballot question committee about campaign strategy, identify “yes” (or “no”) voters, draft advocacy committee literature, use the public body’s laptops, tablets, phone systems, or other public resources owned or purchased by the public body in support of, or opposition to, a ballot question. These types of activities should occur outside of the business day using one’s own property and communication devices.

3.3. As Chancellor, I am responsible for responding to questions from the community. If a member of a “vote yes” committee contacts me seeking information about the ballot proposition, may I respond to the question?

Yes. The Chancellor may respond to questions from the community regarding information pertaining to a proposition regardless of the source of the question.

3.4. May a “vote yes” or “vote no” committee use our facilities to meet for campaign strategy purposes?

Yes. Section 57(1)(d) allows any candidate or committee to use a public facility owned or leased by a public body provided that any committee has an equal opportunity to use the public facility. Thrun Law Firm recommends that the public body comply with its “Facility Use” board policy and apply any policy requirements equally to a committee regardless of its position on the proposition. The committee, however, is not allowed to use the facility’s resources (phones, copy machine, bulk postage meter, etc.) while meeting.
3.5. The "vote yes" committee would like to use our photocopy machine to copy its literature and offered to reimburse us for the expense. Is this permitted?

The SOS has indicated in its Interpretative Statements that reimbursing for a "contribution" does not cure the initial violation. Therefore, Thrun Law Firm discourages these arrangements given the potential for a violation.

3.6. Our community relations director developed the public body's factual information literature that the "vote yes" committee would like to use for its advocacy literature. May we share it?

In our opinion, the SOS may conclude that this is an unlawful contribution to the committee given that public resources (the paid community relations director) were used in the development of the literature. We discourage sharing resources of this nature. Of course, the community relations director is authorized to volunteer on the "vote yes" committee on his or her own personal time.

3.7. We have an upcoming town hall meeting sponsored by the public body to provide information about the proposition and to answer questions. May the "vote yes" committee set up a table to distribute its literature advocating for the proposition?

The answer depends entirely upon the board of trustees' policy regarding the dissemination of political literature during sponsored events. Before permission is given to any candidates, advocacy committees or other political action groups to hand out literature at sponsored events, the public body must analyze the request under its existing board policies and seek legal counsel, if necessary, to interpret and apply the policies in accordance with state and federal laws. Equal treatment is mandatory. It is essential that requests from both a "vote yes" and a "vote no" committee be handled similarly.

4. ELECTION ACTIVITIES

4.1. Are public bodies allowed to register voters or handle absentee ballot applications?

Caution should be exercised in these two areas as Michigan election law is very strict about who may register individuals to vote or handle completed absentee ballot applications. If the public body is interested in providing information to its residents about how to register to vote or obtain absentee ballot applications, we recommend that the public body work closely with its election coordinator (usually the county clerk, city clerk, or township clerk) to coordinate efforts and to confirm the accuracy of information shared in your community.

4.2. Our buildings are used as polling place locations on election day. Supporters and opponents of the proposition have asked to hand out literature in the parking lot during election day. Are they allowed to do this?

Michigan Election Law permits individuals to solicit votes and engage in campaigning outside of 100 feet of any doorway used by voters to enter the building in which a polling place location is located. Persons shall not post, display, or distribute in a polling place or within 100 feet of the entrance to the building in which a polling place is located any material that makes reference to an election, candidate, or ballot question.

Public body literature pertaining to the ballot question must also be removed from the polling place location on the day of the election. However, a marquee may remind voters to vote on the election date – provided the marquee is not within 100 feet of the doorway used by voters to enter the building.

4.3. On election day, may the Chancellor or other public body officials visit the polling place and thank people for voting?

No. Such officials may only be in the polling place to vote or act as a poll watcher. During that time, they may not reference the proposition or thank people for voting. If this is important to the public body, such officials may stay outside of the polling place but must follow the 100-foot rule.

4.4. I want to be a poll watcher and/or challenger on election day. Is this permitted?

State law is specific about who can be a challenger and/or a poll watcher on election day. Information about how to become a challenger and/or poll watcher is available at: www.michigan.gov/sos. Click on "Elections in Michigan" and then "Publications and Forms". The brochure is titled "The Appointment, Rights and Duties of Election Challengers and Poll Watchers".
We recommend that if a public body employee desires to work as a challenger or poll watcher, he or she use permitted time off (i.e., vacation day or personal time) to perform this function.

4.5. On the day of the election, may we provide free admission to our theater’s showing of “Mr. Smith Goes to Washington” if the person is wearing an “I Voted” sticker?

This is not advisable. Section 931 of the Michigan Election law, MCL 168.931, prohibits any person from providing, directly or indirectly, anything of valuable consideration to induce or influence the manner of voting by a person, as a reward for refraining to vote or as an inducement or an attempted inducement to vote. Providing anything of valuable consideration to reward or induce a person to vote may be a violation of Section 931 and could be a misdemeanor.

CAUTION

This FAQ reflects general legal standards and are not intended as legal advice for specific situations. Future legal developments may affect these topics. This document may not be reproduced or redistributed, in whole or in part, without the written permission of the Thrun Law Firm, P.C.
### Permissible

- Campaign committee for either side may meet on public body’s premises (if permissible under applicable use of facilities policy).

- Expression of views by an elected or appointed public official who has policymaking responsibilities, but limited in the use of public resources to disseminate that view. See attached FAQ for limitations.

- The production or dissemination of *factual* information concerning the ballot question.

- Production or dissemination of debates, interviews, commentary, or information by a broadcasting station, newspaper, magazine, or other periodical or publication in the regular course of broadcasting or publication.

- An elected or appointed public official or an employee of a public body who, when not acting for a public body but is on his or her own personal time, is expressing his or her own personal views, is expending his or her own personal funds, or is providing his or her own personal volunteer services.

### Impermissible

- Tax dollars advocating “yes” or “no” vote or influencing passage or defeat of ballot question.

- While on employee time or using public resources, working on passage or defeat of ballot question, assisting advocacy group with campaign strategy, identifying “yes” or “no” voters, planning a “vote yes” or “vote no” campaign.

- Use of public funds, personnel, office space, property, stationery, postage, vehicles, equipment, supplies, or other public resources to make a contribution or expenditure to advocate passage or defeat of ballot question.

- No expression of viewpoint by public body employees or officials during employment hours except for elected or appointed public official who has policymaking responsibility. See attached FAQ for limitations.

- Posting or disseminating information in public body’s buildings advocating the passage or defeat of the ballot question by public body’s employees or officials.

*A knowing violation of the Campaign Finance Law is a misdemeanor punishable, if the person is an individual, by a fine of not more than $1,000 or imprisonment for not more than one (1) year, or both, or if the person is not an individual by (1) a fine of not more than $20,000 or (2) a fine equal to the amount of the improper contribution or expenditure (whichever is greater). In addition, if the Secretary of State determines that a violation of the Act occurred, the Secretary of State may impose a civil fine equal to triple the amount of the contribution or expenditure.*
## Board Comments

### Item VII-A: Calendar of Events

**Presenter:** Board Chair Jacobson  
**Board Consideration:** Information

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>Aug 4</td>
<td>Board of Trustees Meeting, Esther C. Conference Room, Harrison Campus</td>
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**Recommendation:**
None, informational.
Board Comments

Item VII-B: Board Comments- Other Business

Presenter: Board Chair Jacobson

Board Consideration: Information

1. Any comments may be offered by Trustees at this time.

Recommendation:
None, informational.