

Minutes of a Special Meeting of the
Ferris State University Board of Trustees
Thursday, August 29, 2024
Virtual Meeting

1. Call to Order and Roll Call

A Special Meeting of the Ferris State University Board of Trustees was held on Thursday, August 29, 2024 by Zoom conferencing. Vice Chair Ronald E. Snead called the meeting to order at 8:01 a.m. In addition to Vice Chair Snead, the following individuals were present: Trustees Michael B. Fisher, George K. Heartwell, Kurt A. Hofman, Michael D. Ryan, Amna P. Seibold and Vivian TerMaat; University President Bill Pink; Provost and Vice President Bobby Fleischman; Vice President and General Counsel Miles Postema; Vice Presidents Dan Eichinger, Amanda Matheson, Kathy Mullins, David Pilgrim and Jeanine Ward-Roof; Board Counsel Mark Nettleton; Secretary to the Board of Trustees Karen K. Huisman; and members of the University community. Chair LaShanda Thomas was absent with prior notification.

2. Hearing of the Public

No requests had been received to address the Board.

3a. Liquor Licenses for the Woodbridge N. Ferris Building, the David L. Eisler Center, and Katke Golf Course

It was moved by Trustee Heartwell, supported by Trustee Fisher, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as presented on this date:

RESOLUTION

“WHEREAS, the Michigan Liquor Control Code of 1998 (the “Act”), under MCL 436.1513(1) and MCL 436.1513(6), authorizes the Michigan Liquor Control Commission (the “Commission”) to issue a Class C License to the Board of Trustees for the sale and consumption of alcoholic liquor on the premises of the Woodbridge N. Ferris Building, located at 17 Pearl St. NW, Grand Rapids, Michigan 49503, the David L. Eisler Center, located at 805 Campus Drive, Big Rapids, Michigan 49307, and the Katke Golf Course, located at 1003 Perry Ave., Big Rapids, Michigan 49307, which are all operated by the Board of Trustees; and,

WHEREAS, the University currently has a liquor license under MCL 436.1513(1) at the Woodbridge N. Ferris Building; and,

WHEREAS, the University currently has a liquor license under MCL 436.1513(6) at the Katke Golf Course; and,

WHEREAS, the University has had preliminary discussions and taken preliminary steps with the Commission for a liquor license under MCL 436.1513(1) at the David L. Eisler Center; and,

WHEREAS, the Commission has indicated that the Board of Trustees must authorize the application to the Commission for the issuance of a liquor license, all permits, and required documentation to stay in compliance, once issued, under MCL 436.1513(1) for the David L. Eisler Center, and must designate who has the authority to act for the Board of Trustees with the Commission; and,

WHEREAS, the Commission has indicated that the Board of Trustees must authorize required documentation to the Commission to stay in compliance regarding the on-premises liquor licenses under MCL 436.1513(1) and MCL 436.1513(6) for the Woodbridge N. Ferris Building and the Katke Golf Course and must designate who has the authority to act for the Board of Trustees with the Commission.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees approves and directs (1) the application to the Commission for the issuance of a Class C Liquor License under MCL 436.1513(1), with all desired permits, for the David L. Eisler Center, located at 805 Campus Drive, Big Rapids, Michigan 49503; (2) the President, or his designee, and the Vice President of Administration and Finance to submit all necessary applications, permits, and required documentation to stay in compliance, once issued, to the Commission, and to take all other actions necessary for the Commission to issue the on-premises liquor license and permits for the David L. Eisler Center; and (3) the President, or his designee, and the Vice President for Administration and Finance to submit required documentation to the Commission, and to take all other actions necessary to stay in compliance with the Commission regarding the on-premises liquor licenses under MCL 436.1513(1) and MCL 436.1513(6) for the Woodbridge N. Ferris Building and the Katke Golf Course.

BE IT FURTHER RESOLVED that, following legal review and approval of the applicable documents, President Dr. Bill Pink and Vice President for Administration and Finance Amanda Matheson are each, without the action or signature of the other, authorized and directed to (1) make, execute and file the applications on behalf of the Board of Trustees; (2) produce, make, execute and file any other documentation, instruments, agreements and determinations that the Commission may request or require, for the issuance and continued compliance of the on-premises liquor license and permits for the David L. Eisler Center; and (3) submit required documentation to the Commission, and to take all other actions necessary to stay in compliance with the Commission regarding the on-premises liquor licenses under MCL 436.1513(1) and MCL 436.1513(6) for the Woodbridge N. Ferris Building, the David L. Eisler Center, and the Katke Golf Course.”

3b. Amendment to Professional Services Agreement with Plas Legal Services, PLLC

It was moved by Trustee Ryan, supported by Trustee Hofman, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as presented on this date:

RESOLUTION

“WHEREAS, on May 6, 2022, the Board of Trustees approved a professional services agreement with Plas Legal Services, PLLC, a private sector company that provides legal services; and,

WHEREAS, the Office of the Vice President and General Counsel is pleased with the services provided by Plas Legal Services, PLLC and desires to extend the term of the professional services agreement, increase the hourly rate and provide for an option to increase the hours provided on a weekly basis as needed; and,

WHEREAS, the amended agreement between Ferris State University and Plas Legal Services, PLLC would provide that an agent of Plas Legal Services, PLLC be employed as an independent contractor for a period ending on June 30, 2027; and,

WHEREAS, Plas Legal Services, PLLC currently provides legal services for up to 16 hours per week and the University would like to increase the hourly rate to \$62.50 per hour retroactive to July 1, 2024 with an increase of 2.5% to the hourly rate for each remaining year of the newly extended agreement for a total additional cost \$109,776 over the original agreement.

WHEREAS, it is also desired to provide for an option in the agreement of increasing the number of hours to 24 hours provided on a weekly basis by Plas Legal Services as needed, with Presidential approval, during times when the General Counsel's office is experiencing a loss of legal services by one of its attorneys due to unanticipated and extreme circumstances;

WHEREAS, contracting for these services requires full Board approval, pursuant to Board-approved Purchasing Policy, Section 4-205, Matters Reserved to the Board, as it relates to professional services contracts.

NOW THEREFORE BE IT RESOLVED that the Vice President for Administration and Finance, or her designee, is hereby authorized to negotiate and enter into a First Amendment to the Professional Services Agreement with Plas Legal Services, PLLC to provide legal services to Ferris State University's Office of the Vice President and General Counsel, upon appropriate legal review and approval, to extend the term of the agreement to June 30, 2027 and increase the hourly rate, for an amount not to exceed \$109,776 over the original contract; and to provide for the option to request additional hours of legal services from Plas Legal Services, PLLC on an as needed basis.

BE IT FURTHER RESOLVED that funding for this agreement will be provided from existing funding within the General Counsel's general operating budget."

3c. Approval and Ratification of Collective Bargaining Agreement with the Clerical Technical Association, MEA/NEA

It was moved by Trustee Ryan, supported by Trustee Heartwell, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as presented on this date:

RESOLUTION

"RESOLVED, that the Ferris State University Board of Trustees hereby approves and ratifies the collective bargaining agreement tentatively agreed to on August 8, 2024 between the Ferris State University Board of Trustees and the Clerical Technical Association of Ferris State

University, affiliated with the Michigan Association for Higher Education MEA-NEA. This agreement is in effect from the date of ratification by both parties until 11:59 p.m., June 30, 2029.”

3d. Pre-construction Services for the Top Taggart Residence Hall Project

It was moved by Trustee Heartwell, supported by Trustee Seibold, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as presented on this date:

RESOLUTION

“WHEREAS, the university found through the interview process that the incoming and returning students having a strong desire for modern housing facilities; and,

WHEREAS, the Administration is recommending the construction of a new residence hall in the heart of campus, with the specific location being south of Campus Drive and north of the current Top Taggart Field; and,

WHEREAS, Board of Trustees approval to move forward with this project is required pursuant to Board-approved Purchasing policy, Section 4-205, Matters Reserved to the Board, as it relates to professional services contracts.

NOW THEREFORE BE IT RESOLVED that the Vice President for Administration and Finance, or her designee, is hereby authorized to proceed with the retention of the necessary preconstruction architectural, engineering, construction management and other related services, including the negotiation of and entering into contracts, in accordance with Board-approved policies, at a total cost not to exceed \$1,700,000.00.

BE IT FURTHER RESOLVED that funding for these professional services will be provided from university reserves.

BE IT FURTHER RESOLVED that the Administration anticipates presenting the Board of Trustees with a recommendation, at a later time, to proceed with construction of this new facility.”

4. Adjournment

With no further business, at 8:25 a.m., the meeting was adjourned.

Submitted by:

Karen K. Huisman, RP
Secretary to the Board of Trustees