

Minutes of the Regular Meeting of the  
Ferris State University Board of Trustees  
Held on Friday, May 6, 2022  
Big Rapids, Michigan

1. Call to Order and Roll Call

A Regular Meeting of the Ferris State University Board of Trustees was held on Friday, May 6, 2022 in room 202a of the University Center Building, 805 Campus Drive, Big Rapids, Michigan. Chair Anna P. Seibold called the meeting to order at 1:30 p.m. In addition to Chair Seibold, the following individuals were present: Trustees George K. Heartwell, Kurt A. Hofman, Ana L. Ramirez-Saenz, Ronald E. Snead, and Rupesh K. Srivastava; University President David L. Eisler; Provost and Vice President Bobby Fleischman; University Vice Presidents David Pilgrim, Jim Bachmeier, Shelly L. Percy, and Jeanine Ward-Roof; University Vice President and General Counsel Miles J. Postema; Kendall College of Art and Design President Tara McCrackin; Board Counsel Fredric N. Goldberg; Secretary to the Board of Trustees Karen K. Huisman; and members of the University and area communities. Trustee LaShanda R. Thomas was absent with prior notification.

2. Hearing of the Public

Dan Hurley, CEO of the Michigan Association of State Universities (MASU), expressed his gratitude to President Eisler on his service to Ferris, to MASU and to Michigan higher education. President Eisler and the Board of Trustees recognized those individuals who participated in the various COVID response committees at Ferris and presented each with a certificate of appreciation. No one else responded to Chair Seibold's invitation to address the Board.

3. Administrative Reports

The following Administrative Reports were presented. Copies of written reports are located in the official file for this meeting:

- a. Student Government –Paige Abromaitis and MaeLynn Huhn, Student Government
- b. Academic Senate – Sandy Alspach, President, Academic Senate
- c. Finance – Jim Bachmeier, Vice President for Administration and Finance
- d. Critical Success Factors/Dashboard – Bobby Fleischman, Provost and Vice President for Academic Affairs
- e. Strategic Planning Update – David Pilgrim, Vice President for Diversity, Inclusion and Strategic Initiatives

4a. Consent Calendar

It was moved by Trustee Ramirez-Saenz, supported by Trustee Snead, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as amended on this date:

RESOLUTION

*“RESOLVED, that the Ferris State University Board of Trustees hereby approves the items contained in the Consent Calendar as presented in the appended documentation:*

- a. Consent Calendar*
  - 1. Minutes of February 18, 2022*
  - 2. Personnel Items*
  - 3. Appointments and Reappointments to the Boards of Directors of FSU-Authorized Charter School Academies*
  - 4. Legal Representation and Indemnification*
  - 5. Revision to Board-Approved FSU Code of Rules, Bylaws and Policies of Ferris State University, Part 2: Bylaws*
  - 6. Trustee Travel Reimbursement*
  - 7. Presidential Appointment of Dr. Bill Pink*
  - 8. Agreement with Dr. David L. Eisler*

4b. Ferris State University Charter Contract Resolution Amendment – Allowance of Five-Member Boards of Directors

It was moved by Trustee Ramirez-Saenz, supported by Trustee Srivastava, and unanimously carried that the Ferris State University Board of Trustees hereby approves the following Resolution, as submitted on this date:

RESOLUTION

*“WHEREAS, the Ferris State University (the “University”) Board of Trustees (the “University Board”) granted conditional approval to resolutions (the “Approval Resolution”) which conditionally authorized the execution of Contracts with the following public charter school academies (the “Academies”): Battle Creek Montessori Academy, Benton Harbor Charter School Academy, Blended Learning Academies Credit Recovery High School, Bridge Academy, Clara B. Ford Academy, Conner Creek Academy East, Creative Technologies Academy, Hope Academy of West Michigan, Hope of Detroit Academy, Huron Academy, Joy Preparatory Academy, Lighthouse Academy, Marshall Academy, Michigan Connections Academy, Muskegon Montessori Academy for Environmental Change, New Bedford Academy, Northridge Academy, Pittsfield Acres Academy and Voyageur Academy; and,*

*WHEREAS, the Approval Resolution for all of the above Academies states that the number of board member positions on the Academy’s Board of Directors shall be seven (7); and,*

*WHEREAS, Academy Boards are having difficulties recruiting board member candidates and maintaining a seven (7) member Board of Directors; and,*

*WHEREAS, the Ferris State University Charter Schools Office (“the CSO”) consulted with other authorizers of the Michigan Council of Charter School Authorizers (the “MCCSA”) regarding this matter; and,*

WHEREAS, other authorizers of the MCCSA have five (5) or seven (7) member Academy Boards of Directors; and,

WHEREAS, the CSO consulted with attorney Jim Scales from Mika Meyers regarding this matter and he suggests the following language change in the Charter Contract Resolution:

4c. Number of Directors

1. “The number of board positions shall be seven (7), which may be reduced to five (5) or increased back to seven (7) if requested by the Academy and approved by the CSO Director. If the Academy Board fails to attain or maintain its full membership by making appropriate and timely nominations, the University Board or the CSO Director may deem that failure an exigent condition.”
2. Quorum: “In order to legally transact business, the Academy Board shall have a quorum present at a duly called meeting of the Academy Board. A “quorum” shall be defined as follows:

<u># of Academy Board positions</u>	<u># required for Quorum</u>
Five (5)	Three (3)
Seven (7)	Four (4)

*A board member may participate in a meeting virtually only if unable to attend a meeting in person due to military duty, or in other circumstances where virtual attendance is permitted by law, and that member’s virtual presence shall count towards the required quorum and allow the virtual attendee to participate and vote on business before the board.”*

3. Manner of Acting: “Notwithstanding any academy board bylaw to the contrary, any decision or action of the board must be approved by three directors if the board has five authorized positions, and four directors if the board has seven authorized positions. Procedural motions such as a motion to adjourn, table or postpone a matter, to schedule a meeting, or a motion to request a reduction in the number of authorized board positions or nominate persons to fill vacancies, may be approved by a majority of a quorum.”

NOW THEREFORE BE IT RESOLVED, that the Ferris State University Board of Trustees hereby approves the above language change in the Charter Contract Resolutions of Battle Creek Montessori Academy, Benton Harbor Charter School Academy, Blended Learning Academies Credit Recovery High School, Bridge Academy, Clara B. Ford Academy, Conner Creek Academy East, Creative Technologies Academy, Hope Academy of West Michigan, Hope of Detroit Academy, Huron Academy, Joy Preparatory Academy, Lighthouse Academy, Marshall Academy, Michigan Connections Academy, Muskegon Montessori Academy for Environmental Change, New Bedford Academy, Northridge Academy, Pittsfield Acres Academy and Voyageur Academy.”

4c.1. Contract Amendment: Conner Creek Academy East – District Name Change

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

RESOLUTION

*“WHEREAS, the Ferris State University Board of Trustees (the “University Board”) granted conditional approval to a Resolution (the “Initial Resolution”) dated May 7, 1999 for Conner Creek Academy East (the “Academy”), which conditionally authorized the execution of a contract with the Academy to charter an academy (“Original Charter Contract”) and conditionally authorized the Chairperson of the University Board to execute the Original Charter Contract between the Academy and the University Board; and,*

*WHEREAS, on May 7, 2004 the University Board reauthorized the Academy for five years through June 30, 2009; and,*

*WHEREAS, on July 14, 2006 the University Board granted a two-year contract extension through June 30, 2011; and,*

*WHEREAS, on March 25, 2011 the University Board granted a two-year contract extension through June 30, 2013; and,*

*WHEREAS, on February 22, 2013 the University Board granted a two-year contract extension through June 30, 2015; and,*

*WHEREAS, on February 20, 2015 the University Board reauthorized the Academy for three years through June 30, 2018; and,*

*WHEREAS, on December 15, 2017 the University Board reauthorized the Academy for three years through June 30, 2021; and,*

*WHEREAS, on October 2, 2020 the University Board granted a two-year contract extension through June 30, 2023; and,*

*WHEREAS, on February 19, 2021 the University Board granted a contract amendment to change the name of Conner Creek Academy East to Michigan Collegiate Elementary School; and,*

*WHEREAS, the Academy operates two campuses; Michigan Collegiate Elementary School for grades K-6 located at 16911 Eastland Street, Roseville, Michigan and Michigan Collegiate Middle and High School for grades 7-12 located at 31300 Ryan Road, Warren, MI; and,*

*WHEREAS, for advertising/marketing and clarity purposes the Academy Board of Directors seeks to change the name of the school district from Conner Creek Academy East to Michigan Collegiate; and,*

*WHEREAS, the Academy Board of Directors requested the University Board consider and approve a contract amendment to allow the name change of the school district from Conner Creek Academy East to Michigan Collegiate.*

*NOW THEREFORE BE IT RESOLVED, that the University Board hereby approves the school district name change from Conner Creek Academy East to Michigan Collegiate.”*

4c.2. Contract Amendment: Huron Academy Elementary School – Address Change

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

RESOLUTION

*“WHEREAS, the Ferris State University Board of Trustees (the “University Board”) granted conditional approval to a Resolution (the “Initial Resolution”) dated May 7, 1999 for Huron Academy (the “Academy”), which conditionally authorized the execution of a contract with the Academy to charter an academy (“Original Charter Contract”) and conditionally authorized the Chairperson of the University Board to execute the Original Charter Contract between the Academy and the University Board; and,*

*WHEREAS, on May 7, 2004 the University Board reauthorized the Academy for five years through June 30, 2009; and,*

*WHEREAS, on July 14, 2006 the University Board granted a two-year contract extension through June 30, 2011; and,*

*WHEREAS, on March 25, 2011 the University Board reauthorized the Academy for five years through June 30, 2016; and,*

*WHEREAS, on December 18, 2015 the University Board reauthorized the Academy for seven years through June 30, 2023; and,*

*WHEREAS, the Academy operates two campuses; the elementary school for grades K-2 at 11401 Metro Parkway, Sterling Heights, Michigan and the middle school for grades 3-8 at 36301 Utica Road, Clinton Township, Michigan; and,*

*WHEREAS, the middle school was built on 20 acres in 1999 with future plans of adding onto the facility to accommodate grades K-2; and,*

*WHEREAS, the Academy Board of Directors requested the University Board consider and approve a contract amendment to permit the elementary school to move from the 11401 Metro Parkway, Sterling Heights, Michigan to the 36301 Utica Road, Clinton Township, Michigan.*

*NOW THEREFORE BE IT RESOLVED, that the University Board hereby approves the address change of the Huron Academy Elementary School to 36301 Utica Road, Clinton Township, Michigan.”*

4c. Demolition, Fabrication and Installation of Exterior Campus Wayfinding and Branding, and Extension of KMA Professional Design Services Agreement

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

RESOLUTION

*“WHEREAS, the Ferris State University Board of Trustees previously approved issuing a Request for Proposal for campus wayfinding/identity design services for the purpose of assessing external wayfinding needs on the Big Rapids campus with the intent to create a navigation and identity system that is more logical, user-friendly and aptly branded to enhance the visitor experience and improve the safe movement and flow of vehicles and pedestrians; and,*

*WHEREAS, that Request for Proposal process resulted in KMA Design, an award-winning woman-owned business with offices in Philadelphia, Tampa and Pittsburg, being selected to provide these services; and,*

*WHEREAS, working with our campus committee, KMA conducted a comprehensive assessment of wayfinding needs across main campus that led to the completion of a wayfinding masterplan and recommendations to be implemented in three priority phases; and,*

*WHEREAS, the Priority I recommendations of this master plan are highlighted by replacing primary vehicular directional signs for the most traveled routes and major destinations, overhauling the University’s parking lot identification system, investing in new, larger building identification signs for the key visitor destinations, replacing street blade signs, adding branding elements to the gateways of major pedestrian crosswalks; and,*

*WHEREAS, the professional services agreement with KMA will continue in full force and effect until Priority I recommendations are implemented, necessitating their professional services agreement be extended a minimum of six months through December 31, 2022, but no more than a year; and,*

*WHEREAS, Board approval is requested to adopt the wayfinding master plan and is required to authorize the implementation of Priority I, and to extend the duration of the professional services agreement with KMA, pursuant to board-approved Purchasing Policy, section 4-205, Matters Reserved to the Board, as it relates to construction services and professional services contracts.*

*NOW THEREFORE BE IT RESOLVED that the Ferris State University Board of Trustees hereby adopts the wayfinding master plan and authorizes President David L. Eisler, or his*

*designee, to implement Priority 1 wayfinding and signage recommendations contained in the plan at a total cost not to exceed \$759,755.50, and authorizes the extension of the duration of the professional services agreement with KMA a minimum of six months through December 31, 2022, but no more than a year, at no additional cost, to allow them to oversee the demolition, manufacture and installation of all Priority 1 signage elements.*

*BE IT FURTHER RESOLVED that funding for this item will be provided from University central funds.”*

4d. FY 2022-2023 Preliminary Housing and Dining Services Operating Budget

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

RESOLUTION

*“WHEREAS, the FY23 Preliminary Housing and Dining Services Budget reflects the University’s continuing commitment to offer attractive options and great value for students in both housing and dining; and,*

*WHEREAS, as a result of the weekly analysis of point in time data for housing and dining contracts, the University is optimistic with the budget being proposed for FY23; and,*

*WHEREAS, given the current environment, the University is projecting that mandatory residents for Fall 2022 will be greater than Fall 2021; and,*

*WHEREAS, the University is anticipating fewer voluntary residents returning to live on campus for Fall 2022 which is also reflected in this preliminary budget; and,*

*WHEREAS, this preliminary FY2022-23 budget reflects a 9% increase in revenue from FY2021-22, whereas supply and expense are only expected to increase by 2.6% from FY2021-22.*

*NOW THEREFORE BE IT RESOLVED, that the Ferris State University Board of Trustees hereby approves the FY2022-2023 Preliminary Housing and Dining Services Operating Budget, as presented in the supporting materials.”*

4e. Capital Renewal and Deferred Maintenance Phase IV Plan for FY23-27

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

RESOLUTION

*“WHEREAS, the Board of Trustees acknowledges the University’s facilities and utility infrastructure are aging, and further recognize the reliability of the facilities and utility infrastructure to be critical to the mission, operation and safety of the University; and,*

*WHEREAS, the Board of Trustees on three different occasions dating back to 2005 authorized the securing of professional services to inspect, document and determine the condition of the University’s capital renewal and deferred maintenance needs; and,*

*WHEREAS, the Board of Trustees previously authorized three separate five-year CRDM plans including Phase I in 2007 for \$16,500,000, Phase II in 2012 for \$15,000,000, and Phase III in 2017 for \$2,500,000, 2019 for \$5,000,000 and 2019 for \$5,000,000; and,*

*WHEREAS, the Administration is seeking to continue the progress made in managing its capital assets in a proactive manner and is now requesting authorization for Phase IV of CRDM funding for FY23-27, including the Big Rapids and Grand Rapids campuses, in the amount of \$12,500,000.00; and,*

*WHEREAS, this request requires Board of Trustee approval, pursuant to the Board-approved Purchasing Policy, Section 4-205, Matters Reserved to the Board, as it relates to capital construction and professional services contracts.*

*NOW THEREFORE BE IT RESOLVED that the Vice President for Administration and Finance, or his designee, is hereby authorized to implement the Capital Renewal and Deferred Maintenance Phase IV for FY23 through FY27 for a total amount of \$12,500,000.00, and proceed with the retention of necessary construction, professional, and other services, including the negotiation of and entering into contracts for the design, construction and installation of facilities, systems and infrastructure in accordance with Board-Approved policies.*

*BE IT FURTHER RESOLVED that funding will be provided from the annual operating budgets in the general fund and auxiliary fund.”*

#### 4f. Ives Drain Watershed and Ives Drain Outlet Improvements

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

#### RESOLUTION

*“WHEREAS, the current Ives Drain Watershed District that Ferris State University makes up a material portion of the land and the subsequent water runoff to the Ives Drain outlet, located near the southeast corner of the main campus; and,*

*WHEREAS, the damage that has occurred over time has caused significant impact to the drain, the surrounding area, and the outlet to the Muskegon River, and now requires an improvement project in order to repair the damage and prevent further impacts to the surrounding area; and,*



*WHEREAS, the Mecosta County Drain Commission will be assessing the landowners of the district, as well as the City of Big Rapids, Big Rapids Township, Mecosta County, and MDOT a total of approximately \$4 million; and,*

*WHEREAS, Ferris State University is the largest landowner in the district and benefits from the Ives Drain; and,*

*WHEREAS, Ferris State University, upon evaluation and recommendation from a qualified engineering firm, has determined its fair share of the project cost to be \$1,400,000; and,*

*WHEREAS, Board of Trustees approval to move forward with this funding is required pursuant to board approved Purchasing policy, Section 4-205, Matters Reserved to the Board.*

*NOW THEREFORE BE IT RESOLVED, the Vice President for Administration and Finance, or his designee, is hereby authorized to proceed with providing funding for Ives Drain Watershed District and the Ives Drain Improvement project in an amount not to exceed \$1,400,000.*

*BE IT FURTHER RESOLVED, the funding for this project will be provided from University funds available through HEERF funds.”*

4g. Computer Reporting Software Conversion

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

RESOLUTION

*“WHEREAS, the University utilizes reporting software to analyze and reconcile data and utilize that data as information to guide financial and operating decisions; and,*

*WHEREAS, current reporting software does not meet current information needs; and,*

*WHEREAS, a cross-functional committee was formed and has posted a request for proposal to review possible solutions to find the right reporting system to meet Ferris’s needs; 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.*

*NOW THEREFORE BE IT RESOLVED, the Vice President for Administration and Finance, or his designee, are hereby authorized to proceed with evaluating vendor proposals and selecting the reporting software inclusive of installation, training, and conversion of existing reports at an implementation cost not to exceed \$550,000 in the first year, with a recurring cost of*

*\$100,000 annually for maintenance and support of the selected solution, for a total five-year cost not to exceed \$950,000.00.*

*BE IT FURTHER RESOLVED, if significant savings can be achieved via a five-year software license and hosting solution, the Vice President for Administration and Finance, or his designee are hereby authorized to enter into a five-year license agreement bringing the total five-year cost not to exceed \$900,000.*

*BE IT FURTHER RESOLVED, the funding for this project will be provided from operating funds and accumulated funds carry forward within the information technology general budget.”*

4h. Professional Services Agreement with Plas Legal Services, PLLC

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

RESOLUTION

*“WHEREAS, on October 2, 2020, 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 enter into a new professional services agreement commencing July 1, 2022; and,*

*WHEREAS, an 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 commencing on July 1, 2022 and terminating on June 30, 2025; and,*

*WHEREAS, pursuant to the agreement, Plas Legal Services, PLLC would provide up to 16 hours per week at \$55.00 per hour through June 30, 2025 for a total annual amount not to exceed \$132,000.00 for the term of contract; and,*

*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 his designee, is hereby authorized to negotiate and enter into a 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, in an amount not to exceed \$132,000.00 or \$44,000.00 annually for the period commencing July 1, 2022 and ending July 30, 2025.*

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

4i. FSU Center for Virtual Learning Documents

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

RESOLUTION

*"RESOLVED, that the resolution of the Board of Trustees of Ferris State University approving a construction and completion assurance agreement, a conveyance of property, a lease and an easement agreement, if necessary, for the Ferris State University Center for Virtual Learning, is approved as submitted in its final form on this date."*

5. Hearing of the Public

No one responded to Chair Seibold's second invitation to address the Board.

6. President's Report

President Eisler's comments included the following:

- Construction Management faculty and staff event and information on the Pulte endowment.
- Recognition of Vice Presidents Jim Bachmeier, Shelly Percy, David Pilgrim, Jeanine Ward-Roof, Vice President and General Counsel Miles Postema; President of Kendall College of Art and Design Tara McCrackin; and Provost and Vice President Bobby Fleischman.
- Recognition of Executive Assistants Terri Cook, Angie Hollister, Elise Gramza, Laurie Millen, Robin Hoisington, Susan Cook, and Jill Schneider, Administrative Assistants Tammy Babcock, Michelle Johnson, and Maggie Walcott; Communications Officer Michelle Rasmussen; Director of Budgetary Planning and Analysis Amy Winker; Associate Director of Budgetary Planning and Analysis Deanna Goldthwait; and Secretary to the Board of Trustees and Administrative Assistant to the President Karen Huisman.
- Thank you to the Board of Trustees for providing me the opportunity to lead this great university.

7. Comments from the Board of Trustees

Chair Seibold expressed her sincere thanks to President Eisler for his leadership, mentorship and friendship over the last 19 years.

8. Reconfirmation of Next Meeting Date

The next regularly scheduled full Board meeting will be held on Friday, October 7, 2022.

9. Adjournment

At 2:23 p.m. Chair Seibold declared the meeting adjourned.

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

Approved by the Board of Trustees: October 7, 2022