CALL TO ORDER – Chair K. Ross Childs called the meeting to order at 2:35 a.m.

ROLL CALL
Trustees present: Doug Bishop, K. Ross Childs, Cheryl Gore Follette, Bill Myers, Susan Sheldon
Trustees absent: Bob Brick, Walter “Jay” Hooper,
Also present: Paul Heaton, Cathy Jones, Charles Judson, Sheri McWhirter, Tim Nelson, Karen Sabin

APPROVAL OF AGENDA – On a motion by Cheryl Follette, seconded by Bill Myers, the agenda was approved.

DISCUSSION ITEM: Update on Valley City Linen issues – Attorney Charles Judson explained that a closed session would not be needed because he has a signed dismissal of the pending litigation from Valley City Linen, provided NMC agrees to a new contract for linen service. By way of background, Mr. Judson explained that a contract for linen services was entered into by Valley City Linen with Aramark approximately six years ago when Aramark was providing management services for Hagerty Center. A stipulation in the contract called for automatic renewal of five-year terms unless written termination was provided before the end of the first five year term. NMC ended its relationship with Aramark but NMC’s Administrative Services office was not aware of the contract relationship until the lawsuit was filed. Valley City claimed monies were owed for breach of contract as well as for services provided for which the company had not been paid. NMC never received the invoices because they were apparently sent to Aramark. Ultimately a potential settlement was discussed, which included a five-year contract proposed between Northwestern Michigan College and Valley City Linen for linen services for Hagerty Center, Great Lakes Culinary Institute, and Extended Educational Services effective in August 2010 when NMC’s current linen service expires. The new contract contains provisions for performance expectations whereby, if the contract does not work out as agreed, the College will have the ability to terminate. Mr. Judson explained that Valley City has agreed to the contract, and if the College agrees to enter into this contract, the lawsuit will be dismissed. Judson explained the contract itself falls within the authority of the administration to execute, but due to the lawsuit he thought it would be prudent to have the Board of Trustees take action.

Trustees expressed their appreciation of the way the lawsuit was handled, that performance criteria are part of the contract, and that the lawsuit was settled so quickly.

PUBLIC INPUT: There was no public input.

ACTION ITEMS:
Action Pertaining to Litigation: Chair Ross Childs asked for a motion to approve legal counsel’s recommendation to execute the Stipulation to Dismiss with prejudice the Valley City Linen litigation and to support the recommendation of the Vice President of Administrative Services to enter into a Service Contract for linens to be supplied to the Hagerty Center, Great Lakes Culinary Institute, and Extended Educational Services.
Northwestern Michigan College  
Board of Trustees Special Meeting Minutes  
May 4, 2010  

Lakes Culinary Institute, and Extended Educational Services by Valley City Linen, effective in August 2010. Cheryl Follette so moved, seconded by Doug Bishop. Motion carried.

**Agenda items E. and F.** - Cheryl Follette made a motion to remove Items E. and F. from the agenda, since there was no need to go into closed session. Seconded by Bill Myers, the motion carried.

**ADJOURNMENT** – The special meeting adjourned at 2:45 p.m.

Recorded by Karen Sabin

SIGNED

K. Ross Childs, Chair

ATTESTED

William Myers, Secretary