

OFFICIAL MEETING MINUTES

MINUTES:	TMCC SPECIAL BOARD OF DIRECTORS MEETING
Meeting:	Board of Directors, Board of Trustees, Administration
Date/Time/Location:	5/9/16 – 5:00 p.m. – TMCC Board Room
Board of Directors Present:	Duane Poitra, Dr. Lana DeCoteau, JoAnne DeCoteau, & Cynthia Allery
Board of Directors Absent:	Carla Peltier
Board of Trustees Present:	Raymond Parisien Sr., Yvonne St. Claire and Patrick Marcellais
Board of Trustees Absent:	Elmer Davis, David Brien, James Lindgren, Dwight Trottier, Theresa Rivard, Charla Morin, & Sheyanna Ashes
Staff Present:	Dr. Jim Davis and Wes Davis
Guests:	Dave Ripley
Officiating Recorder:	Candace Longie

Agenda Item	Discussion – Conclusion	Recommendations or Actions
I. Call to Order	Chairman Poitra called the meeting to order at 5:08 p.m.	
II. Opening Prayer	Performed by Raymond Parisien Sr.	
III. Roll Call	Performed by Candace Longie.	
VI. Approval of Agenda		Chairman Poitra requested motion to approve the agenda. JoAnne DeCoteau made the motion, seconded by Dr. Lana DeCoteau. Candace Longie performed roll call vote. All were in favor. Motion carried.
V. Old Business		
1. Allied Health Project	<p>Dr. Jim Davis presented board with Allied Health Project Bid. See appendix A.</p> <p>Discussion occurred. Concern that TERO was not fully acknowledged in bid advertisement. DeCoteau Construction was low bid on this project in December 2015; DeCoteau Construction was contacted about negotiating the bid price to a lower amount. Dr.</p>	Chairman Poitra opened the floor. Dr. Lana DeCoteau made the motion to reject all bids at this time and re-bid the project with new advertisement to specify language that contractors must acknowledge they are aware and will abide by the Turtle Mountain TERO and EPA requirements, and to include a statement specifying a

Davis stated DeCoteau Construction verbally agreed to reduce its bid by 5%. Dean DeCoteau stated he was never formally notified of the decision the negotiation. Dean DeCoteau, owner, approached Chairman Poitra and asked to be placed on the agenda to meet with the Board of Directors regarding the bid; Chairman Poitra declined placement on agenda and directed Dean DeCoteau to submit documentation to Dr. Davis. Dean DeCoteau stated he submitted letter to Dr. Davis and Dr. Lana DeCoteau asking to formally resume negotiation since he was low bid. Dr. Lana DeCoteau had hand delivered Dean DeCoteau's letter to Dr. Davis with anticipation it would be handled before reaching the board pertaining to completing negotiation and bid shopping. The project was re-bid in February per Dr. Davis recommendation. In April 2016, Dean DeCoteau stated he had not received any response to the February 2016 letter he had submitted and cited the contractor that was asked to provide analysis of the original project cost in January 2016 had bid the project the second time in April 2016 and was low bidder.

Discussion continued on that the architect started the project in 2015 without a TERO license and was not fully aware of TERO; the TERO Director had to write a letter to TMCC for the architect to get into compliance. Architects must be made aware that they understand the TERO guidelines with quota of local Tribal members employed as well as contractors when bidding projects. There must also be a formal process when negotiating with low bid

negotiation process is allowed as "The Turtle Mountain Community College reserves the right to formally negotiate with bidders within 3% of the low bid in order of rank of successive low bidders until an agreement could be reached if it is found necessary to do so obtain best value for the Institution. TMCC will also acknowledge the receipt of formal objections or questions, provide a written response or explanation, and inform all bidders of any actions that are taken in response to such objections or questions." . Seconded by JoAnne DeCoteau. Dr. DeCoteau will meet with Candace to make assure accuracy and clarity of language in her motion. Candace Longie performed roll call vote. All were in favor. Motion carried.

	<p>contractor (other than phone calls). TERO Director was also concerned TMCC was not in compliance with other contractors doing work at TMCC in meeting employment ratios of local Tribal members as specified in the TERO. TMCC needs to be in compliance with all TERO and EPA guidelines.</p> <p>5:15 Dave Ripley entered meeting.</p>	
V. New Business		
1.		
VI. Other Business	Discussion occurred on when next meeting will occur.	
IX. Goals and Observations		
X. Next Meeting	<ul style="list-style-type: none"> • May 26, 2016 at 12:00 p.m.; TMCC Board Meeting Room 	
XI. Adjournment	<ul style="list-style-type: none"> • Meeting adjourned at 5:35 p.m. 	<p>Chairman Poitra asked for a motion to adjourn. Dr. Lana DeCoteau made this motion, seconded by JoAnne DeCoteau. Candace Longie performed roll call vote. All were in favor. Motion carried.</p>

Duane Poitra

Duane Poitra, Board of Directors Chairman

Candace Longie

Candace Longie, Board of Directors Recording Secretary