

# LMC purchases under fire

College says that trustees acted within institutional policies

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**BENTON TOWNSHIP** — Former Lake Michigan College president Jennifer Spielvogel's lawyer says the community college violated its ethics policy by paying more than \$212,000 over the past five years to a trustee's business.

Brad Glazier, Spielvogel's lawyer, said documents showing then-Board Chairwoman Mary Jo Tomasini's design company was being paid by the college for merchandising services came to light through his work on a lawsuit between LMC and its former president.



**SPIELVOGEL**



**TOMASINI**

According to a document outlining the purchases between LMC and Competitive Edge, the \$212,000 in charges included merchandise such as jewelry, pens, golf towels, wine and beer glasses, shirts and jackets. Competitive Edge is a promotional products supplier based in Stevensville.

The document includes the dates in which these items were ordered, which ran from Jan. 6, 2011 to Aug. 17, 2016. While Tomasini remains a trustee, she served as board chairman for part of the five-year period.

"I would like to see the board comply with their own policies. It's important for a public institution to be transparent, and I don't think they are being transparent with the purchase of these products," Glazier said in a phone interview Friday. "It's troubling to us because the policy states trustees can't do business with the college, unless it is made public and is approved by the board."

Glazier said he asked several trustees during a deposition for Spielvogel's lawsuit against the college —

including Tomasini, Chairman Michael Lindley and trustees Paul Bergan and Debra Johnson — and was told they had not voted on the purchases at a board meeting, and they were not made public.

However, LMC released a statement saying trustees have acted within the institution's policies and procedures as they are not involved in "day-to-day purchasing decisions at the college."

The statement said the role of each trustee is to approve the annual bud-

get and not individual line items — such as promotional material.

"Ms. Tomasini has never misused her role at the college as an unpaid volunteer trustee," the statement read. "In fact, she does not direct or participate in any transactions between Lake Michigan College and Competitive Edge. As a college alumni, she and her firm have made almost \$130,000 in donated personal and professional contributions. In addition,

See **LMC**, page A8

## LMC

From page A1

Competitive Edge frequently provides promotional items to the college at wholesale cost or through a donation.”

The college’s Purchasing Department is responsible for purchasing functions and are given the expectation of “upholding the ethical practices of the purchasing profession.”

According to LMC’s statement, the college has done business with Competitive Edge since 1993. When Tomasini became a trustee in 2009, LMC officials said she fully disclosed her business.

LMC said it buys promotional products through more than 25 vendors.

These promotional items are used for student recruitment, promotion of academic programs, student life activities, community outreach, athletics, employee recognitions and donor relations.

In a letter to the editor submitted to The Herald-Palladium, which was published Friday, Lincoln Township resident Enid Goldstein called attention to the potential conflict of interest. Goldstein was told of the purchases from Glazier, who offered documentation to support his find.

Goldstein has been critical of LMC and its board for the handling of Spielvogel’s termination last spring.

Spielvogel was suspended a few months after taking the position for various reasons offered at a just

cause hearing in May. Chief among those reasons were Spielvogel’s spending habits, as the board cited more than \$20,000 in unapproved expenses. After the just cause hearing, where Spielvogel argued she was not at fault, trustees voted to have her removed as president.

Spielvogel has since brought a wrongful termination lawsuit against LMC, which remains ongoing.

“The chief allegation against my client (Spielvogel) is that she spent money inappropriately. But in order to prove the termination was for just cause, the employer had to show a policy was violated,” Glazier said. “The board clearly violated a policy and allowed the board chair to sell products to the university. They were not applying their policies even-handedly.”

In Friday’s news release, LMC officials said there was more to Spielvogel’s dismissal than her unanticipated expenditures.

“Ms. Spielvogel was dismissed from Lake Michigan College for many reasons beyond inappropriate spending,” the statement read. “Several concerns arose related to her job performance, including violations of policies, creating a hostile work environment, inappropriate comments to and about employees, college volunteers and community members, ignoring specific directions from the board and overall concerns related to management of the college.”

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