

**COCONINO COMMUNITY COLLEGE
DISTRICT GOVERNING BOARD**

REGULAR MEETING

AUGUST 18, 2021



**COCONINO COMMUNITY COLLEGE
MINUTES OF A REGULAR MEETING
OF THE
DISTRICT GOVERNING BOARD
AUGUST 18, 2021**

A Regular Meeting of the Coconino Community College District Governing Board was via interactive video conferencing (Zoom). Board Chair, Dr. Nat White, called the meeting to order at 5:30 pm.

PRESENT: Eric Eikenberry
Patricia Garcia
Patrick Hurley
Joseph R. Smith
Nat White

ABSENT: None

Also Present: Dr. Colleen Smith, CCC President; Ms. Allison Gray, Mr. Anthony Williams, Ms. April Sandoval, Mr. Bob Voytek, Mr. Bobby Sedillo, Mr. Brian Wilson, Ms. Colleen Carscallen, Dr. David Borofsky, Ms. Dianna Sanchez, Mr. Dietrich Sauer, Mr. Edward Wells, Ms. Gail Lowe, Ms. Giovanna Macry, Ms. Isabella Zagare, Dr. Jami Van Ess, Ms. Jennifer Jameson, Mr. Jeremy Martin, Ms. Katherine Costa, Ms. Kay Leum, Mr. Keith Becker, Mr. Kevin Chase, Dr. Kimberly Batty-Herbert, Mr. Kurt Stull, Mr. Lance Roberts, Mr. Larry Hendricks, Mr. Nathan Schott, Dr. Nate Southerland, Ms. Randi Axler, Mr. Rich Bowen, Ms. Sandra Dihlmann, Ms. Sarah Benton, Ms. Suzzanna Rodriguez, Mr. Tim Kinney, and Mr. Tim Kinney, Jr.

Reports, summaries, background material, and other documents referred to in these minutes can be found in the August 18, 2021 documents file.

Follow Up
• None

ADOPTION OF AGENDA

Mr. Patrick Hurley moved to approve the agenda, and Ms. Patricia Garcia seconded the motion. The agenda was approved as presented (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

ADOPTION OF CONSENT AGENDA

- A. Minutes from the May 19, 2021 Meetings
 - i. Work Session
 - ii. Public Hearing, Truth in Taxation
 - iii. Public Hearing, Budget
 - iv. Special Meeting, Budget
 - v. Regular Meeting
- B. Minutes of a Retreat June 10-11, 2021
- C. Separations/New Hires
- D. Coconino County Accommodation School District Dual Enrollment IGA

Mr. Patrick Hurley moved to approve the Consent Agenda, and Ms. Patricia Garcia seconded the motion. The motion was unanimously approved (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

FOLLOW UP ITEMS

All follow-up items have been completed.

INTRODUCTION OF GUESTS

Mr. Larry Hendricks introduced Ms. Gail Lowe, CCC Foundation Treasurer, Mr. David Borofsky, Executive Director of the Arizona Association of Community College Trustees, and Mr. Tim Kinney, Mr. Tim Kinney Jr., and Mr. Rich Bowen with Genterra Enterprises.

CALL TO THE PUBLIC

Ms. Gail Lowe, County Resident, Treasurer of the Foundation Board, and CCC Champion, introduced the three CCC birthday parties and invited the Board to attend. The parties will be held as follows:

Lone Tree	August 24, 2021	11:30 am to 1:30 pm
Fourth Street	August 26, 2021	4:00 pm to 7:00 pm
Page	August 27, 2021	4:00 pm to 7:00 pm

The parties' goal is to express gratitude for CCC and its role in the community for the last 30 years and hope for many more years to come. Ms. Lowe also updated the board on Foundation initiatives such as the Cross Country team, Flagstaff Marathon, and the Students First Celebration on November 2nd.

ACTION ITEMS

A. DGB Priorities and President/Administration Goals – Dr. Nat White

The Board reviewed and discussed this item at the Work Session earlier this evening. The Board can discuss the item further or take action. Mr. Patrick Hurley made a motion to accept these items as presented. Mr. Erik Eikenberry seconded the motion, and it was unanimously approved (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

B. Genterra Term Sheet – Dr. Colleen Smith

Dr. Smith turned the presentation over to Dr. Jami Van Ess and her team and representatives from Genterra Enterprises. This item is a non-binding term sheet and is another step in the process that outlines the basic terms and conditions of the College's agreement with Genterra.

Dr. White asked for an update from Genterra and an explanation of the term sheet. Mr. Tim Kinney Jr. updated the group on the project's progress and explained that the term sheet is the next milestone in the process. It is non-binding but is an exercise in drafting the significant points in a future ground lease that would be binding. The term sheet allows both groups to discuss issues and work them through and help understand what both parties would be agreeing to in the future. Once this step is completed, the next step would be to develop a more detailed ground lease that includes master development terms. Once the ground lease is complete, Genterra can obtain financing and funding for pre-development and pre-construction work.

Questions on the agenda item included what efforts are being made to secure funding which Mr. Rich Bowen discussed, how that funding would be used to lower the overall cost to students and make the housing more affordable, how the College can be a helpful partner for grant opportunities, what the difference in cost might be if grants could be secured, and if there was a timeline for the project.

Dr. Jami Van Ess recommended that the Board approve the Term Sheet for Master Development Ground Lease Agreement and authorize Dr. Smith to sign it.

Mr. Eric Eikenberry made a motion to accept the recommendation. Mr. Joseph Smith seconded the motion, and it was unanimously approved. (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

C. Fourth Street HVAC Replacement of 22 Units– Dr. Jami Van Ess and Mr. Kurt Stull

Dr. Van Ess introduced this item and explained that the main driver behind it is improving air quality, as this is one of the appropriate items for HERFF funding. Next, Mr. Kurt Stull answered questions on the project, including whether these were HEPA or more state of the art HVAC units, if the efficiency of the units will help offset the cost, if the project had gone out to bid, would this be a smart system, and if the funds currently allocated in the planned maintenance budget for HVAC units could be moved somewhere else.

Dr. Jami Van Ess recommended that the District Governing Board adopt a motion approving the attached proposal and authorizing the College President to sign it based on the Procure-AZ Cooperative Contract, in the amount of \$431,866. A purchase order will be issued to Johnson Controls for the replacement and retrofit of the HVAC systems at the Fourth Street Campus.

Mr. Patrick Hurley made a motion to accept the recommendation. Mr. Eric Eikenberry seconded the motion, and it was unanimously approved (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

D. Lone Tree Air Balance and System Controls Retrofit– Dr. Jami Van Ess and Mr. Kurt Stull

Ms. Jami Van Ess requested that an updated action item be uploaded for the Board today because the College received a question back from our HERFF liaison officer about the appropriateness of part of this purchase. If there is a piece of this quote that the HERFF officer does not feel is appropriate for this funding stream, it will be pulled from the quote. The revised action item is now a not-to-exceed bid that will include any appropriate parts for HERFF funding. Lone Tree is a different system than Fourth Street, but the overall goal of the updates are to improve air quality. The plans for Lone Tree will also improve air quality, but because of the differences in the system, there needs to be a different structure to make it happen. This project will improve the systems back to where they were when the building first opened.

Questions on the project included how is the makeup air handled at Lone Tree, are the air handlers mechanical and tempered, and will Johnson Controls provide training to the College.

Dr. Jami Van Ess recommended that the District Governing Board adopt a motion to approve the attached proposal and authorize the College President to sign it, based on the Procure-AZ Cooperative Contract, in the amount not to exceed \$353,870. A purchase order will be issued to Johnson Controls for the Air Balance, and Fan Coil Retrofit at the Lone Tree Campus.

Mr. Patrick Hurley made a motion to accept the recommendation. Ms. Patricia Garcia seconded the motion, and it was unanimously approved (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

E. Intergovernmental Agreement – Department of Economic Security Back to Work Education Incentives – Dr. Nate Southerland

This agenda item was added on Tuesday in response to a recent announcement from Governor Ducey's office related to an initiative to ease people back into the workforce at the end of their unemployment benefits. There are very specific requirements for this program, but if someone meets them, they will qualify for childcare assistance and tuition benefits.

Questions on the program included what the administrative burden would be, what the eligibility requirements are, if the funds provided were per district or as people submit requests, where students would go to seek funding, who the program was for and who would qualify, if people who had exhausted unemployment before May 8 or 15, 2021 would qualify, the importance of aligning with other community colleges in the state on this agreement, the difficulty in actually finding students who might qualify for this program, the significance this could mean to students who receive these benefits even if only a small number of students qualify, and the difficulties of finding people who would qualify since the College doesn't collect information on unemployment benefits.

Dr. Nate Southerland recommended that the District Governing Board adopt a motion to approve the Back to Work Education Incentives IGA and authorize the College President to sign the agreement.

Ms. Patricia Garcia made a motion to accept the recommendation. Mr. Joseph Smith seconded the motion. Further discussion on the motion focused on the idea that it doesn't cost the College anything to approve this IGA, and it could benefit some students and further our collaboration with other colleges. The motion was unanimously approved (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

F. Discussion and/or Action Concerning COVID-19 – Dr. Colleen Smith

Dr. Nat White opened the floor to discuss this topic and asked everyone to focus on possible action items.

Mr. Patrick Hurley stated that he just started a big construction job and required everyone to wear masks. He does not like that this has become a political issue and states' rights versus federal. However, he supports whatever the Board thinks is best for the students and felt that the safety of our faculty, staff, and students who come in contact with so many people every day was the most important thing.

Ms. Patricia Garcia requested that the Board go into executive session for consultation with legal counsel on this issue. Mr. Joseph Smith was supportive of that request.

Mr. Eric Eikenberry commented on this issue and was also supportive of the request for an executive session. The College is a learning institution that teaches science and critical thinking, so it should embrace those ideas. The science is clear on the efficacy of masks. Mr. Eikenberry thanked legal counsel for their work and their letter. He felt it was clear that the College cannot discriminate against the unvaccinated. Mr. Eikenberry suggested that the Board support the President and staff in enacting a mandate if they think it is necessary. He supported giving the President the support to make the decision she and her staff think is appropriate.

Dr. Nat White stated that the President and staff would have the most intimate information about the need for a mask mandate, its challenges, and how to solve them.

Mr. Eikenberry was happy to make a motion on behalf of the Board to require masks but at the same time would like to defer to the expertise of others involved in this meeting.

Mr. Hurley felt that the buck had to stop with the Board. He wants staff input and wants to know that Board can make this decision, but if there is backlash from the decision, he felt it needed to be on the Board and not the President. Mr. Hurley was not sure that the Board could act with the action item presented this evening.

EXECUTIVE SESSION At 6:37 pm, a motion was made by Ms. Patricia Garcia to enter into Executive Session pursuant to A.R.S. § 38-431.03(A)(3) for consultation with legal counsel. The motion was seconded by Mr. Joseph Smith and unanimously approved (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

RECONVENED IN OPEN SESSION at 7:58 pm.

Mr. Patrick Hurley motioned to reconvene in an open session. The motion was seconded by Mr. Joseph Smith and unanimously approved (Mr. Eikenberry, Mr. Hurley, Mr. Smith, and Dr. White voting in favor). The meeting resumed in open session at 7:58 pm.

Dr. Nat White informed the attendees that the Board received advice from legal counsel during the executive session and asked Board Members to share any comments.

Mr. Joseph Smith mentioned that the agenda item presented tonight refers to the College's guiding principle about safety and that masks are a proven mitigation strategy against COVID-19.

Dr. Nat White referred to the Board action of passing a resolution more than a year ago about COVID-19 and giving full authority to Dr. Colleen Smith to whatever is necessary to address COVID-19. As a Board Member, he is supportive of the resolution and whatever the President decides to do on this issue.

Mr. Eric Eikenberry echoes Mr. Smith's and Dr. White's comments and feels the same way. He has confidence in the President to deal with the situation in any way she feels necessary.

Mr. Patrick Hurley feels that both the resolution made by the Board and the actions taken by the President to date have been to make sure the best interests of the students and staff are protected. Mr. Hurley trusts that Dr. Smith will make a decision on this issue that will keep the safety of students and staff at the forefront.

The resolution also provides Dr. Smith with the flexibility to act and react in a short time, whether in response to the Governor and legislature or with information on the ground. If the crisis changes, she will have the ability to react quickly.

Ms. Patricia Garcia was able to rejoin the meeting. Dr. White recapped what the other four board members felt the resolution gave the President the ability to act and react quickly, and several people mentioned that masks were essential safety measures.

Ms. Garcia agreed that the resolution gave Dr. Smith the authority to do what is in the best interest of the students and the College. However, she does worry that in some sense, it is passing the buck in the Board not acting, and since the specific action item was not on the agenda, the Board did not have the opportunity to act. Ms. Garcia would like Dr. Smith to know the Board will strongly support any action

she takes. These are challenging times and difficult decisions. Mask mandates are a temporary decision that we take to protect faculty, staff, and students.

Dr. White asked the Board if it was sufficient to leave the discussion there or if there was a need to take action, such as taking a motion concerning the Board's support of Dr. Smith.

Mr. Patrick Hurly made a motion reaffirming the prior direction from the Board to allow Dr. Smith to take any action to protect the well-being of the College, its students, and employees during this crisis. Ms. Patricia Garcia seconded the motion.

Discussion on the motion focused on Dr. White expressing his appreciation for the intensity and thorough thinking on this issue and the legal advice received tonight. Individually, Dr. White appreciates the College leadership and knows that any decisions made will not appease everyone.

The motion was unanimously approved (Mr. Eikenberry, Ms. Garcia, Mr. Hurley, Mr. Smith, and Dr. White voting in favor).

INFORMATION AND REPORTS

Board Reports

Mr. Joseph Smith reported on AACCT's plans for a retreat next week, including discussing the 2022 legislative session and the long-term viability of community colleges in Arizona.

Ms. Patricia Garcia recently participated in the ACCT Pacific Region Awards Panel, and there will be a statewide meeting at the ACCT Congress in October.

The Alliance met on May 21, 2021, focusing on legislative agendas, budget, and COVID updates. Flagstaff Unified School District is taking over the chairmanship and working on planning the next meeting.

The Foundation Board has a retreat this Friday. The Flagstaff Marathon is coming up, and the Foundation Board is looking forward to the September joint meeting with the District Governing Board.

Academic and Student Affairs – Dr. Nate Southerland

Enrollment (FTSE) – Final Year-End Report

Dr. Nate Southerland reviewed the Final Year-End Enrollment Report. Dr. Jami Van Ess reminded everyone that the report does not include out-of-state, web-only students. Due to the pandemic, the College had many more students in this category than usual. This led to a significant decrease in FTSE numbers. Dr. Southerland briefly discussed recruitment efforts and how the College is working to increase the number of students taking classes.

Overview of Assessment and Program Review

Dr. Southerland asked to defer this item to the next meeting.

Business and Administrative Services – Ds. Jami Van Ess

Year End Budget Status Report for Fiscal Year 2021

Dr. Jami Van Ess reviewed the preliminary year-end budget status report with the Board. The Business Office is still working with the auditors to close out the College's books for the year. Ms. Van Ess pointed out the ways COVID-19 relief funding assisted the College's budget in the last fiscal year.

President's Report – Dr. Colleen Smith

Dr. Nat White talked about the many items in the President's Report that document what is happening within and outside the College. It helps him realize how much the board members, faculty, and staff are part of a dynamic organization doing big things.

Dr. Colleen Smith gave a few quick updates on items that were not included in the report. She had the opportunity to attend a meeting last week with the City of Page and Mr. Joseph Smith to discuss the P3 student housing project. The College continues to work on financial sustainability of the College. Dr. Smith has met with College legal counsel, the County Elections Department, is working on a lot of data and will bring specifics to the Board to help them decide how to move forward.

Dr. Smith mentioned a new Staff Council Chair, Ms. Giovanna Macry, and thanked her for taking on that service. In addition, Ms. Sarah Benton is continuing as the Faculty Senate President. Dr. Smith also thanked Ms. Janan Scott as outgoing Chair of Staff Council. Both of these positions are challenging, thankless, jobs. Dr. Smith expressed her appreciation for the work of these individuals and what they bring to the Executive Council.

Dr. Smith thanked the District Governing Board for their support and for their time.

AGENDA ITEMS FOR FUTURE MEETINGS

None

ANNOUNCEMENTS

The next District Governing Board meeting will be September 15, 2021.

The next Foundation Board meeting will be August 20, 2021.

MEETING EVALUATION

None

There being no further business, Chair White adjourned the meeting at 8:37 pm.

MINUTES PREPARED BY:

Ms. April Sandoval
Board Recorder

ATTEST and APPROVED:

Mr. Joseph R. Smith
Vice Chair/Secretary of the Board

Dr. Nat White
Board Chair