

Navajo County Community College District Governing Board Meeting Minutes

November 16, 2021 – 10:00 a.m.
Painted Desert Campus, Tiponi Community Center
2251 East Navajo Boulevard, Holbrook, Arizona

Governing Board Member Present: Mr. Frank Lucero; Mr. Everett Robinson; Mr. Elias Jouen; Ms. Kristine Laughter; Mr. Derrick Leslie.

Governing Board Member Absent:

Others Present: President Chato Hazelbaker; Interim Vice President for Learning and Student Services (VPLSS) Mike Solomonson; Vice President for Administrative Services (VPAS) Maderia Ellison; Chief Information Officer (CIO) Scott Estes; Director of Institutional Effectiveness Judy Yip-Reyes; Interim Chief Human Resources Officer (CHRO) Kathy Hanson; Recording Secretary to the Board Paul Hempsey; Norvita Charleston; Terrie Shevat; David Huish; Josh Rogers; Allison Landy; Betsy Wilson; Ann Hess; Annyssa Howerton; Gail Campbell; LaTonya Motley; Lauren Maestas; Lia Keenan; Melody Niesen; Rebecca Hunt; Richard Strickland; Rickey Jackson; Robert Johnson; Ruth Zimmerman; Ryan Orr; Tamara Osborne; Wei Ma; Matt Weber; Cassie Dows; Kristin Mackin.

Agenda Item 1: Call to Order and Pledge of Allegiance

Chair Lucero called the meeting to order at 10:01 a.m. and led the Pledge of Allegiance.

Agenda Item 2: Adoption of Agenda

Mr. Robinson moved to adopt the agenda as presented. Mr. Leslie seconded the motion. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie; and Chair Lucero voting in favor. There were no votes against.

Agenda Item 3: Call for Public Comment

None.

Agenda Item 4: Discussion Items

4.A. Standing Presentations:

4.A.1. Financial Position

VPAS Ellison addressed the Board and presented the monthly Financial Position report highlighting the funds received from the state to cover the Transwestern Pipeline settlement.

4.A.2. NPC Student Government Association (SGA)

Written Report.



4.A.3. Faculty Association

Dr. Allison Landy presented a report on behalf of Faculty Association looking at the possibility of baccalaureate degrees at Northland Pioneer College. Dr. Landy noted the establishment of an ad hoc group, under Instructional Council, with the charge of researching the feasibility of baccalaureate degrees, communicating a recommendation, and establishing a pilot program in Fall 2023.

Dr. Landy suggested the first potential program would be in Early Childhood Education and, responding to questions from Ms. Laughter and Chair Lucero, Dr. Landy suggested some other programs that would be on the radar of the committee for implementation within the next 5 years.

Chair Lucero asked about teaching the 300- and 400-level courses required. Dr. Landy mentioned that the college already had instructors qualified to teach at those levels, particularly in the areas being initially considered.

Mr. Leslie asked if the Higher Learning Commission (HLC) had a strenuous process to allow community colleges to provide baccalaureate degrees. Dr. Landy noted that HLC provided an excellent document with guidance and for the first degree the HLC process would likely take 3-8 months after the college met any state requirements.

4.A.4. Classified & Administrative Staff Organization (CASO)

Ryan Orr, President of CASO, addressed the Board and presented a report highlighting the Library Services staff.

4.A.5. NPC Friends and Family

Director Wilson addressed the Board and provided a report of recent Friends and Family activities highlighting “Petal” the Petrified and a video was shared on Facebook from the event. Director Wilson also provided a report from the Food Pantry.

Ms. Laughter asked how students were made aware of scholarship opportunities, especially those from the Kayenta area. President Hazelbaker noted all the ways the word was spread to students at the college. Director Wilson and VPAS Ellison also noted additional ways the college was helping students be successful.

4.A.6. Human Resources

Written Report.

Chair Lucero asked how the search for a permanent CHRO was going. Interim CHRO Hanson responded that the job description had been revised once more, and hoped to have the position posted by the end of the week.

Mr. Leslie noted his pleasure at the progress being made within the department.



4.A.7.President's Report

President Hazelbaker addressed the Board and reported on the challenges and successes from the college since the October meeting.

Mr. Leslie asked about the state's response to a potential vaccine mandate. President Hazelbaker noted the differences between the two possible mandates the college may fall under and how the college was preparing.

Chair Lucero asked if there was any indication how many employees would refuse to comply with a vaccine mandate. President Hazelbaker said it was hard to put a number on it.

Upon hearing that potential employees were turning offers down Chair Lucero asked if the candidates were indicating a reason or reasons. President Hazelbaker stated it was generally related to difficulty finding housing in the area.

4.B. Fall 2021 Enrollment Report:

Josh Rogers, Director of Student Services, addressed the Board and provided a report on Fall 2021 Enrollment and a ten-year enrollment trend at the college. Director Rogers then covered the proposals to end the declines and start increasing enrollment with assistance from President Hazelbaker.

Chair Lucero asked if the data could be presented by location to see if any locations stood out. President Hazelbaker responded that it would be possible and he would work to make it available as soon as possible.

Mr. Leslie commented that he was pleased to hear the formation of a strategic enrollment management group was moving forward and believed it would be a significant help to have such a group assessing and recommending initiatives.

Agenda Item 5: Consent Agenda

- A. **October 19, 2021 Board Meeting Minutes**
- B. **2020-22 Dual Enrollment Intergovernmental Agreements** between Navajo County Community College District and Whiteriver USD.
- C. **2020-22 Dual Enrollment Intergovernmental Agreement Amendments** between Navajo County Community College District and Snowflake USD; Whiteriver USD.
- D. **Northeast Arizona Law Enforcement Training Academy Intergovernmental Agreements** between Navajo County Community College District and Apache County; Town of Eagar; City of Holbrook; Navajo County; Town of Pinetop-Lakeside; City of St. Johns; Town of Snowflake; Town of Springerville; City of Winslow.

Mr. Robinson moved to approve the Consent Agenda as presented. Mr. Leslie seconded the motion. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.



Agenda Item 6: For Discussion and Possible Action

6A. Old Business

6.A.1. Request to Establish a Contingency Amount for the White Mountain Campus Skills Center Project

David Huish, Director of Facilities and Vehicles, addressed the Board and asked the Board to approve a contingency amount of \$2.5 million for the Skills Center Project.

Chair Lucero confirmed that material costs had been written in to the original contract. Director Huish clarified where contingency funds might need to be utilized for unexpected conditions. Chair Lucero asked for clarification on when the college would be required to pay for an unexpected condition and Director Huish provided examples.

Chair Lucero asked who at the college would be responsible for approving any change orders which would utilize contingency funds. Director Huish responded that the president would hold that responsibility. Chair Lucero commented that it seemed the Board would be abdicating their responsibilities by approving the contingency funds. Director Huish noted that if all requests needed to come to the Board it could create more costs due to delaying the work. Any requests would be vetted by the architect, Construction Manager Richard Strickland, himself, and VPAS Ellison before reaching the president.

Chair Lucero commented that he felt a 10% contingency would be sufficient as, despite common belief, construction costs were declining and taxpayers would be footing the bill. President Hazelbaker noted the Board had put together a good Procurement Policy and the college had an excellent procedure because of that to make sure funds were spent appropriately, and in the end the hope was that the college did not need to expend any contingency on the project.

Mr. Jouen commented that he could support a 20% contingency for unforeseen conditions as long as there was a team involved in the decisions and an architect was protecting the college's interests.

Ms. Laughter asked if the Board would receive a report when a change order is proposed and approved. Director Huish stated that the Board would continue to receive a report, which will include the information, at each Board meeting.

Mr. Leslie also commented that he could support a 20% contingency as long as college procedure was being followed and the reports continued to come to the Board each meeting.

Chair Lucero asked how the contingency funds would affect any construction at the Winslow campus. President Hazelbaker noted there would be no immediate affect as the money for current projects at the Winslow campus were already available, but future projects at the college may be affected if contingency funds needed to be used on the Skills Center project.

*Mr. Robinson made a motion to approve a contingency amount of \$2.5 million for the White Mountain Campus Skills Center Project as presented. Mr. Jouen seconded. **The motion carried***



upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, and Mr. Leslie, voting in favor. Chair Lucero voted against.

Director Huish provided the regular update on progress with the Skills Center project and updated the Board on projects at the Winslow campus.

Mr. Jouen asked if a conceptual drawing of the Winslow projects could be made available for the Board to review. Director Huish commented that he did not have the information but could provide it once the architects had completed their work.

6B. New Business

6.B.1. Amend Board Meeting Calendar

President Hazelbaker asked the Board to remove the December meeting from the regular meeting schedule.

Chair Lucero suggested the college keep the meeting on the regular calendar and assess each year whether a meeting would be necessary. The Board discussed the potential need to hold a meeting in December and how that could be possible. Recording Secretary to the Board noted that the Board could call a special meeting as needed, but if they did not act to cancel the regular meeting the expectation was the Board would meet on December 21st as scheduled, regardless of any special meetings called.

Mr. Jouen made a motion to cancel the regular December Board meeting for 2021 with the caveat that a special meeting be set if needed. Mr. Robinson seconded. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.

6.B.2. Request to Approve the Back to Work-Education Incentives IGA

VPLSS Solomonson addressed the Board and recommended the acceptance of a Back to Work – Education Incentives Intergovernmental Agreement (IGA) with the Department of Economic Security.

Mr. Robinson made a motion to approve the Back to Work – Education Incentives Intergovernmental Agreement (IGA) with the Department of Economic Security as presented. Mr. Leslie seconded. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.

6.B.3. Request to Approve FY23 Budget Assumptions and Guidelines

VPAS Ellison reviewed the assumptions and guidelines for preparing the 2022-23 budget and asked the board to approve.

Mr. Jouen asked if the college would automatically increase operating costs on the information in the Consumer Price Index. VPAS Ellison noted that the college will likely run a variety of scenarios to present to the Board as usual.



Mr. Jouen asked if community colleges benefited from Prop 207 monies. VPAS Ellison responded that they do and presented the current data available on possible funding amounts, noting that they were restricted funds that had to be spend on Workforce Development activities. Chair Lucero asked whether the funds came only from sales in Navajo County or throughout the state. VPAS Ellison stated they were from sales throughout the state.

Mr. Jouen made a motion to approve the FY23 Budget Assumptions and Guidelines as presented. Mr. Leslie seconded. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.

6.B.4. Request to Accept RUS/DLT Grant Funds

CIO Estes addressed the Board and summarized the Rural Utilities Services – Distance Learning and Technology grant and how the funds would be used. The total amount of the award is \$715,890.00 and requires a 15% match from the college which is already budgeted.

Mr. Leslie made a motion to accept the RUS/DLT grant funds in the amount of \$715,890.00 as presented. Mr. Jouen seconded. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.

6.B.5. Board Self Evaluation

President Hazelbaker noted that per Board Policy the members of the District Governing Board shall conduct a self-evaluation yearly in the month of December. However, Dr. David Borofsky, Director of the Arizona Association of Community College Trustees, had offered to conduct a workshop to assist the Board with the process.

Mr. Jouen suggested it would be worthwhile to have the assistance of Dr. Borofsky with the process and felt moving the evaluation completion to February may allow a better timeframe for completion.

Mr. Jouen made a motion to invite Dr. Borofsky to the January meeting for a presentation and move the completion of the process to February. Mr. Robinson seconded. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.

6.B.6. Executive Session: Pursuant to ARS 38-431.03(A)(3) & (A)(4) the District Governing Board may vote to enter Executive Session for discussion or consultation for legal advice with its legal counsel and to consider and provide instruction to its legal counsel concerning;

- i. The Non-Disclosure Agreement and MOU being negotiated between the college and Smith Bagley, Inc.**
- ii. The appeal of the outcome from an employee grievance**

At 12:21 p.m. Mr. Robinson made a motion for the Board to go into Executive Session pursuant to ARS 38-431.03(A)(3) & (A)(4). Mr. Jouen seconded the motion. The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.



*At 1:50 p.m. The Board moved back into regular session and adjourned from executive session upon a motion by Mr. Jouen, seconded by Mr. Robinson. **The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.***

6.B.7. Potential Action on the Non-Disclosure Agreement between the college and Smith Bagley, Inc

The Board took no action on this item.

6.B.8. Potential Action on the Appeal of the outcome of an Employee Grievance

*Mr. Jouen made a motion to affirm the decision by President Hazelbaker on October 8, 2021. Mr. Leslie seconded. **The motion failed upon a roll-call vote with Chair Lucero, Mr. Robinson, and Ms. Laughter voting against. Mr. Jouen, and Mr. Leslie voted in favor.***

*Ms. Laughter made a motion to affirm the decision by President Hazelbaker on October 8, 2021, withdrawing the offer of settlement, and direct President Hazelbaker to provide a written decision to the employee. Mr. Robinson seconded. **The motion carried upon a roll-call vote with Ms. Laughter, Mr. Robinson, Mr. Jouen voting in favor. Chair Lucero and Mr. Leslie voted against.***

Agenda Item 7: DGB Agenda Items and Informational Needs for Future Meetings

None.

Agenda Item 8: Board Report/Summary of Current Event

Mr. Robinson mentioned the High Country Barbershop Chorus Christmas in the Pines Concert on December 14, and the White Mountain Symphony Orchestra Christmas Concert on December 18 events.

Agenda Item 9: Announcement of Next Regular Meeting

Regular District Governing Board meeting on Tuesday, January 18, 2022 at 10 a.m.

Agenda Item 10: Adjournment

*The meeting was adjourned at 1:58 p.m. upon a motion by Mr. Jouen and a second by Mr. Robinson. **The motion carried upon a roll-call vote with Mr. Robinson, Mr. Jouen, Ms. Laughter, Mr. Leslie, and Chair Lucero voting in favor. There were no votes against.***

Respectfully submitted,



Paul Hempsey
Recording Secretary to the Board

