



**SANTA CRUZ COUNTY PROVISIONAL  
COMMUNITY COLLEGE DISTRICT  
GOVERNING BOARD**

**Regular Board Meeting Minutes**

**TUESDAY, MAY 17, 2022**

Santa Cruz Center Board Room  
2021 North Grand Avenue  
Nogales, AZ 85621

**1. OPENING ITEMS**

***A. Call to Order:***

Dr. Marcelino Varona, Jr., Chairperson, called a Regular Public Board Meeting of the Santa Cruz County Provisional Community College District Governing Board to order on Tuesday, May 17, 2022, at 5:00 p.m.

***Pledge of Allegiance:***

Mr. Lucero led the Pledge of Allegiance.

***Roll Call / In Attendance:***

Present at the meeting were – Dr. Marcelino Varona, Jr.-Chairperson, Mr. John Fanning- Vice Board Member Dr. Angela Meixell- Board Member, Ms. Liz Collier- Board Member, Mr. Greg Lucero- Board, Mrs. Georgina Tavera- Finance Manager, and Mr. Brian Nelson. Attorney Mr. David Pauole, Mr. Ted Roush, and John E. Faulk, CPA Audit Manager from AZ Auditor General joined virtually.

***B. Adoption of the Agenda:***

Chairperson Varona entertained a motion to adopt the agenda of Tuesday, May 17, 2022, SCCPCCD Regular Governing Board Meeting Agenda as presented and authorize Chairperson Varona to move the sequence of the items on the agenda at his discretion. Dr. Meixell motioned to adopt the agenda as presented, seconded by Ms. Collier. Motion carried unanimously, 5-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Marcelino Varona, Jr.	X		
Mr. John Fanning	X		
Dr. Angela Meixell	X		
Ms. Liz Collier	X		
Mr. Greg Lucero	X		

***C. Public Comment – Call to Audience***

*a.* There was no call to the public.

*Note: Chairperson Varona proceeded with Item D on the agenda, AZ Auditor General.*

**2. STANDING REPORTS AND ACTION ITEMS**

***A. Financial Report***

*SCCPCCD Finance Manager provided a review and update of the April 2022 Financial Reports*

- Mrs. Tavera provided everyone with a copy of the April 2022 financials and informed the Board that the only uncommon figures were the \$218K (PCC invoice) and \$80K lease payment; she also mentioned a few charges from USP postal services; she also

informed the Board that she had followed up on the Foundation sending them the financials and also submitted the application to the Consulado de Mexico to contest the funds;

*Note: Chairperson Varona and Mr. Lucero departed the meeting at 5:40 p.m.*

***B. Chairperson of the Governing Board – SCCPCCD Governing Board Chairperson will address any updates***

- Chairperson Varona had to leave early due to attending another meeting.

***C. Members of the Governing Board***

- Ms. Collier mentioned the Patagonia graduation next Friday; she asked how do we get the brochures out to the Nogales students; Mr. Fanning suggested asking the registrar to do this; he will follow up with the Superintendent;

***D. AZ Auditor General, Summary of FY 20-21 Audit***

- Mr. John E. Faulk, CPA Audit Manager from AZ Auditor General, and Ms. Katherine Edwards Decker, Audit Senior, informed the Board of the following:
  - The revised Arizona statutes require the Board to have their office present their annual audit results;
  - The work with SCCPCCD to increase accountability and understand laws to make important decisions to ensure the District is spending and accounting for its public monies appropriately;
  - Mr. Faulk shared what they follow when conducting audits;
  - He discussed their audit work on the Districts annual financial report and reported on internal control on compliance; he added that the email sent on April 28, 2022, highlighted the summary of the reports, which could be found on their website at [azauditors.gov](http://azauditors.gov)
  - He was happy to announce that for the FY ending June 30, 2021, there were no reported findings for the District;
  - He asked to contact him or Ms. Edwards if anybody needed guidance related to the District's financial related topics;
- Chairperson Varona congratulated and complimented Mrs. Tavera, Financial Director for the clean audit and zero findings; he asked her if she had asked about the carryover; the Auditor General said they were not going to present on this topic. However, Ms. Edwards already approved her sending the carryover to her. Chairperson and the Board thanked her for their hard work and support;
- Ms. Collier asked if they saw any areas they recommended working on over the next year or an area that could use improvement;
- He said there was a large balance not being invested in anything; he suggested having the County Treasurer or the State Treasurer invest a large portion of the money and get a better investment return in those bank accounts;
- Chairperson Varona said the Board had discussed this in the past and will address it in the near future;
- Dr. Meixell asked about having only one financial employee and if this was a risk they were taking; Mr. Faulk said their current system is fine and only suggested that on the payroll side, there may be some opportunity to implement additional review or controls; Chairperson Varona asked Mrs. Tavera to look into it with ADP Payroll and provide a report in August; Mrs. Tavera informed the Board that ADP currently sends an automatic email to Dr. Meixell every time a change is made to salaries;

- Mr. Lucero asked about a future lease, lease purchase or financing mechanisms that would be expandable and what would be suitable in terms of future space? Ms. Edwards said those expenditures are excluded from the limitation and that the debt had to have a specific purpose, and there are specific exclusions for land and buildings as well (two areas that could come into play, financed with some sort of debt instrument or the purchase of the land and buildings; so there is flexibility);
- Mr. Faulk referred Mr. Lucero to a link for frequently asked questions and instructions for the expansion limitation report; he will have Ms. Edwards send the link to Mrs. Tavera;
- The Board thanked them for their presentation and their suggestions provided;
- Mr. Faulk reminded the Board that all of the audit reports are available on their office website for access at any time as well as many useful resources; he thanked Chairperson Varona and the Board for having them, and Mrs. Tavera for her cooperation on the audit; looking forward to working with her on future audits;

***E. Resolution to Increase Expenditure Limitation***

- Mr. Dave Pauole, Wright Welker & Pauole PLC, provided the resolution ordering and calling for an election requesting the voters to approve a permanent change in the base limit and/or FTSE used to determine SCCPCCD's expenditure limitation; he added that this resolution was largely based on a similar resolution that Pima Community College did back in 2020; he also said that the unique aspects for Santa Cruz were the specific numbers and also needed to cater the rationale a bit more to make sure it fit the situation specific to Santa Cruz County;
  - The resolution authorizes the calling on the November election and deputizes Mrs. Tavera to be the individual to work with the Santa Cruz County elections department and make sure that all of the milestones for getting materials submitted and everything else is met;
  - Chairperson Varona asked if the Board felt comfortable investing; he asked Ms. Collier to work with Mrs. Tavera and make sure to get a couple of letters of support to be posted on the ballot; Ms. Collier said everybody had to put effort into this;
  - Mr. Lucero asked what were the limitations or restrictions with respect to getting better involved in the ballot.
  - Mr. Pauole informed them and explained Statute 15-1408; he added to be careful and not rally votes in favor of this while they are on the clock;
  - Mr. Fanning asked if this was similar to School Districts;
  - Chairperson Varona asked when was the deadline to submit the letters of support and ask as individuals to be submitted by that time frame;
  - Mr. Pauole said once the county elections department is notified of the resolution, the county elections department should be able to provide them with a schedule;
  - Mr. Lucero suggested having a citizen's committee created that takes the lead, giving the Board a bit of cover and shield and not having a board discussion;
  - Mr. Pauole said it was a great idea to do so and was very common practice;
  - Chairperson Varona asked if talking about factual information was inappropriate; he also asked if he could present at the Lions Club as an individual on this ballot measure; Mr. Pauole said he had free speech rights to do so in his capacity as a private citizen, as long as he does not say he is the Chair of the Board, etc.
- Chairperson Varona entertained a motion to accept this resolution of the Governing Board of Santa Cruz County Provisional Community College District SCC AZ ordering

and calling a special election to be held on November 8, 2022, in conjunction with the general election to submit a question to the registered voters of the district proposing a permanent expenditure limitation adjustment to the 1979 80 base expenditure limitation of the SCCPCCD providing for the conduct of the election, the printing of the balance, the candidacy of the election and compliance with the voting rights act. Mr. Lucero motioned to accept the resolution as presented, seconded by Mr. Fanning. Ms. Collier said it was time to do this and concurred 100% in favor of this reading; Mr. Fanning concurred, 100% in favor; Dr. Meixell agreed, and Mr. Lucero concurred with everything said. Chairperson Varona said he was in full support. Motion carried unanimously, 5-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Marcelino Varona, Jr.	X		
Mr. John Fanning	X		
Dr. Angela Meixell	X		
Ms. Liz Collier	X		
Mr. Greg Lucero	X		

- Ms. Collier asked for clarification on the formula; Mrs. Tavera explained how the formula was created and what was proposed; Chairperson asked to be transparent and clarified the figures and explained where the 700 came from;
- Mr. Pauole informed the Board that in about 2006, the Attorney General put out some guidelines on that, having the improper influence of an election by those associated with the Community College District and will email them these guidelines for their review;

***F. PCC – Santa Cruz Center Report***

- Mr. Brian Nelson, Advanced Program Manager, PCC- Santa Cruz County, shared the August 2021-May 2022 PCC Santa Cruz County Community Outreach Tracking; 129 outreach activities were conducted, 58 external and 71 internal; the goal was 40 per semester; Mr. Fanning asked why the disparity with Rio Rico; Mr. Nelson explained it was due to COVID restrictions;
- He also presented the flyer showing information on workshops; Mr. Fanning asked how this was being advertised to the public; Ms. Collier asked for the flyer and post it on her FB, encouraging everyone to do the same; Mr. Nelson also shared the breakdown of the program;
- Ms. Collier said the Board should be involved, and that this has to be a good turnout;
- The Board thanked Mr. Nelson for the comprehensive presentation;

***G. PCC – Santa Cruz Center Report –***

- Mr. Roush wished he could have attended in person for the setting of the voting on the expenditure limitation issue, saying the process went very well;
- He commended Mrs. Tavera for the audit report, saying she was exceptional, humble, and always knew what she was talking about;
- He met with Dr. Phillips and handed out everything to him and said it was a pleasure working with this Board adding that they are a great, caring Board that cares about the community; he was thanked by Board Members;
- Dr. Phillips said he was looking forward to great things happening in SCC going forward; he said it was very important that there are a lot of projects that we can

support each other with because SC has an advantage Pima doesn't have as it is easier for them to be nimble and do things such as the workshops, etc.; he is currently working with the Pima Curriculum Office; he is looking forward to spending more time down here and learn from the Board and also share things;

- He was welcomed by the Board; Ms. Collier asked if she could get a letter of support from Pima Community College; Dr. Phillips will look into it and get back to the Board; Mr. Roush said if a statement from some person as to what our Board does would be a good idea; Mrs. Tavera will forward them a sample document from the attorney;
- Mr. Pauole said Pima were probably better served to get advice from their own counsel on that particular issue, legal guidance, and direction;

**H. PTO Balances Carryover**

- Dr. Angela Meixell, Board Member, said she was asked to look into this matter; she shared the following:
  - Seven people are working at this center; four of them work 19 hours or less and do not accrue benefits; of the three remaining, Jose is a private contractor so it does not apply to him; Mr. Alvarez normally uses his time as it is accrued; Mrs. Tavera's situation is unusual as she rarely takes any time off due to the job itself and has accumulated 360 hours (and the policy only allows 38 days); if a change will be made, her contract and policy would need to be changed; she suggested her taking vacation and not say "use it or lose it"; Mrs. Tavera agreed and said she will start taking her vacation soon; Ms. Collier suggested changing the policy after she takes time off;
  - Mr. Roush said he was responsible for writing the policies and pointed out that because this was a single full-time employee, they have a considerable latitude to do something different such as paid stipend, more retained leave, increase the amount of carryover, etc.
  - Dr. Meixell said to review her contract (it expires September 30);

Ms. Collier motioned to table this item until the August meeting. Motion was seconded by Dr. Meixell. Motion carried unanimously, 3-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Marcelino Varona, Jr.	Excused Absence		
Mr. John Fanning	X		
Dr. Angela Meixell	X		
Ms. Liz Collier	X		
Mr. Greg Lucero	Excused Absence		

**3. APPROVAL OF MINUTES**

**A. Approval of the Minutes**

Dr. Meixell motioned to approve the Special Board Meeting minutes for April 19, 2022 (4:00 p.m.) and the Regular Board Meeting minutes for April 19, 2022 (5:00 p.m.). Motion was seconded by Ms. Collier. Motion carried unanimously, 3-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Marcelino Varona, Jr.	Excused Absence		
Mr. John Fanning	X		
Dr. Angela Meixell	X		
Ms. Liz Collier	X		
Mr. Greg Lucero	Excused Absence		

**B. Future Meeting Agenda Items.**

- a. Ms. Collier stated that she had met with Mr. Panousopoulos; they did not discuss pricing but did talk about the current situation; she presented him the budget, history, enrollment, etc. and told him we wanted to continue here but did not know how much money we could pay;
- b. Lease and Budget

**C. Future Meeting Date – June 14, 2022**

- a. Second Tuesday instead of the third;
- b. Mr. Roush said the discussion should be restored, on whether or not they should go back to full-time faculty; Mrs. Tavera will have to adjust and present sooner;
- c. Mr. Fanning asked to meet before June 8<sup>th</sup>; he suggested May 31<sup>st</sup> or June 7<sup>th</sup>;
- d. It was agreed by all to hold a Special Meeting on May 31<sup>st</sup> at 4:00 p.m. and only present the budget changes; Mr. Pauole will add it on his calendar and try to attend; Mrs. Tavera will send an email to all;
- e. June 14, 2022, a 5:00 p.m. will continue as scheduled;

**4. Executive Session Items**

- a. Nothing was addressed.

**5. Adjournment**

Ms. Collier motioned to adjourn the meeting of May 17, 2022, seconded by Dr. Meixell. Motion carried unanimously, 3-0.

<i>NAME</i>	<i>AYE</i>	<i>NAY</i>	<i>ABSTAIN</i>
Dr. Marcelino Varona, Jr.	Excused Absence		
Mr. John Fanning	X		
Dr. Angela Meixell	X		
Ms. Liz Collier	X		
Mr. Greg Lucero	Excused Absence		

Having no further business to discuss, Mr. Fanning adjourned the meeting at approximately 6:42 p.m.

*Minutes presented respectfully by:*

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Ms. Liz Collier  
SCCPCCD Board Member