

**COMMITTEE OF THE WHOLE MINUTES
AUGUST 9, 2021**

The Board of Trustees of Community College District 509, Counties of Kane, Cook, DuPage, McHenry and DeKalb, State of Illinois, held a meeting of the Committee of the Whole on Monday, August 9, 2021, in Building E, Room E100.01/Virtual.

1. Call to Order by Presiding Officer

Vice Chair Meyer called the meeting to order at 3:00 p.m., indicated that a quorum was present, and asked the recorder to call roll.

Trustees present: Mr. Meyer, Dr. Redmer, Mr. Nowak, Dr. Ollayos and Student Trustee, Mr. Allen.
Trustees participated in-person.
Dr. McCreary participated virtually.

Trustees absent: Ms. Rakow.

ECC Staff present: Dr. Sam, President; Dr. Heinrich, VP Teaching, Learning and Student Development, Dr. Wagner, VP Business & Finance; Dr. Garber, VP Planning, Institutional Effectiveness and Technology; Ms. Kerruish, Recorder; ECC staff members and visitors.

2. Pledge of Allegiance

The Pledge of Allegiance was led by Trustee Nowak.

Following the Pledge, Vice Chair Meyer requested Board consent to suspend the in-person attendance rule and permit virtual attendance by Trustee McCreary, noting the recent executive order which indicates public bodies may choose to permit virtual attendance.

Motion: Trustee Duffy moved to allow Trustee McCreary to participate virtually.

Second: Trustee Nowak seconded the motion.

Roll-Call Vote: Aye, 6; Duffy, Meyer, Redmer, McCreary, Nowak, Ollayos; nay, 0; Student Trustee Allen, aye; motion carried.

For the record, it was voted that Trustee McCreary may participate in this meeting virtually.

3. Approval of Meeting Minutes of the Committee of the Whole, June 7, 2021

Vice Chair Meyer requested approval of the minutes of June 7, 2021.

Motion: Trustee Nowak moved to approve the minutes as presented.

Second: Trustee Redmer seconded the motion.

Roll-Call Vote: Aye, 6; Duffy, Meyer, Redmer, McCreary, Nowak, Ollayos; nay, 0; Student Trustee Allen, aye; motion carried.

4. Presentations

Vice Chair Meyer requested to suspend the rules and change the order of presentations. There were no objections.

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B. Status Report: COVID-19 Mitigation Protocols

Dr. Wagner and Dr. Heinrich reviewed the July 5 memo on Covid mitigation details, which included a mask mandate for unvaccinated individuals, and optional masks for fully vaccinated individuals, as well as social distancing of six feet (with different safety protocols in several areas of the College). On July 27, new CDC guidance indicated fully vaccinated people should wear a mask in public areas of substantial transmission. On August 1, Kane County was added to the list of substantial transmission areas, and it was determined there was a need to return to masking fully. The mask mandate plan for fall classes was outlined, and it was noted that community colleges statewide are following the new CDC guidance. A discussion among trustees regarding mask mandates ensued. Trustees Nowak and Meyer explained why they do not feel a mask mandate is appropriate at this time, provided statistics to back up their viewpoint, and stated they believed mask guidelines should be based on the honor system. Dr. Sam stated the administration has a responsibility to follow guidance of our health officials to mitigate the spread of the virus on campus. Trustees McCreary, Redmer, Ollayos and Duffy, as well as student trustee Allen, agreed with Dr. Sam's comments, noting the Delta variant of the virus has caused a need for mitigation protocols to increase. Dr. Wagner indicated the American Rescue Plan Fund requires strict monitoring and suppression of the virus.

Trustee Meyer indicated that on June 8, 2021, the Board adopted a policy stating that, no later than July 1, 2021, the Covid-19 mitigation policies and protocols of the College shall be no more stringent than and shall mirror only those policies and practices which are applicable and mandated by the CDC, IDPH, the Kane County Health Department, or other applicable law. He added that the changes made on August 3 are not in accordance with this Board policy. Dr. Sam accepted full responsibility for the changes, noting he called each trustee first and spoke in person or left a message for all Board members. Trustee Redmer stated she would like to consider keeping the new policy through the fall semester while monitoring data and guidance from the CDC. Trustee McCreary stated that trustees are role models for the College and should follow the recommendations of the administration and safety committee.

Motion by Trustee Duffy to suspend the rules. There was no objection to suspending the rules.

Motion: Trustee Duffy moved to reconsider the action regarding Covid-19 mitigation protocols taken at the June 8, 2021 meeting.

Second: Student Trustee Allen seconded the motion.

Trustee Meyer expressed concern about not trusting the honor system, adding it is not the College's responsibility to determine if/when people put themselves at risk. Trustee Ollayos stated now that it's been shown the virus can be harbored and passed on, it is not the liberty of individuals to infect others. She and Trustee Duffy also expressed concern about the ability to maintain social distancing in certain areas of the College, including between classes in hallways. Following further discussion, Dr. Sam distributed a copy of mandates being implemented by other colleges.

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Roll-Call Vote: Aye, 4; Duffy, Redmer, McCreary, Ollayos; nay, 2; Meyer, Nowak;
Student Trustee Allen, aye; motion carried.

Reconsideration of the original motion to adopt the Board policy stating that the Covid-19 mitigation policies and protocols of the College shall be no more stringent than and shall mirror only those policies and practices which are applicable and mandated by the CDC, IDPH, the Kane County Health Department, or other applicable law, was made.

Roll-Call Vote: Aye, 2; Meyer, Nowak; nay, 4; Redmer, Duffy, McCreary, Ollayos;
Student Trustee Allen, aye; motion failed.

Motion: Trustee Duffy moved to recommend adoption of the College administration's policy regarding Covid-19 protocols and masks.

Second: Student Trustee Allen seconded the motion.

Roll-Call Vote: Aye, 4; Duffy, Redmer, McCreary, Ollayos; nay, 2; Meyer, Nowak;
Student Trustee Allen, aye; motion carried.

This item will be included on the August 10, 2021 regular meeting agenda under New Business.

A. Cyber Security

Mr. Chahino and Mr. Forg provided a presentation on cyber crime, including types of attacks, typical steps in attacks, results of the recent phishing campaign, and measures we are taking to protect information at ECC. Cyber attack statistics for 2021 were also highlighted, as well as the cost/damage of cyber crimes. It was noted that since 2006, the College has had a position for a cyber security professional on staff. The auditors have recommended a risk assessment, which we are working on coordinating. Cyber security training is recommended continuously and should be mandatory.

C. Waiving Course Fees for Spring 2022

Dr. Heinrich reviewed the background of course fees, which were waived during the onset of the pandemic when emergency funds were used to offset the cost. Heather Scholl and Annamarie Schopen provided additional details, noting lab fees were waived for about 69 courses, and also recommended continuing to waive these fees for the spring semester. Simulated labs have been used during Covid, and the three main areas where course fees were reduced are Art, Sciences and English. During the spring semester, there will be more face-to-face classes. Last October, the proposed course fees for FY23 were presented, and feedback from the Board was requested and provided.

5. Review Board Actions on the August 10, 2021 Regular Board Meeting Agenda

A. Purchases

1. Architectural Fees – Building A Renovation (Board Action No. 009-B-22)

There were no questions or comments regarding this purchase.

2. Building L Emergency Generator (Board Action No. 010-B-22)

Trustee Redmer inquired about the location of Building L. It was noted this building is not a classroom and is not on the campus map; and it is located between Buildings O and M.

3. Low Voltage Teledata Wiring (Board Action No. 011-T-22)

There were no questions or comments regarding this purchase.

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4. Professional Engineering Services – Drainage Improvement Project (Board Action No. 012-B-22)

Trustee Duffy asked about the selected vendor, which the College has worked with in the past; and it was clarified that this vendor has assisted with a previous situation.

5. Ratification of Technology Equipment Purchase (Board Action No. 013-T-22)

There were no questions or comments regarding this purchase.

6. Services for Web-Based Payment Plan (Board Action No. 014-F-22)

There were no questions or comments regarding this purchase.

7. 5-Axis CNC Milling Machine Purchase (Board Action No. 015-I-22)

There were no questions or comments regarding this purchase.

B. Other Agenda Items

1. Intergovernmental Agreement Between Elgin Community College District No. 509 and the Elgin Police Department (Board Action No. 007-A-22)

Trustee Ollayos requested clarification on the hold harmless indemnification agreement. Mr. Vazquez explained that when the City of Elgin reviewed the agreement, they indicated they would not indemnify the College. Trustee Meyer stated this agenda item will therefore be pulled from the consent agenda at the August 10 regular board meeting. It was suggested to contact the Kane County Sheriff's Office for possible assistance.

2. Transfer TRIO Grant Expense to Education Fund (Board Action No. 008-F-22)

Trustee Meyer inquired about the background of this agenda item; and Dr. Wagner provided additional details on the TRIO grants process.

3. College Reports/Grant Monitoring Report (as of June 30, 2021)

Trustee Ollayos noted that some grant amounts were not used in total. She requested that the Board receive a report on the status of all grants, which will be provided by Dr. Wagner.

6. Audience Wishing to Address the Board

There were no audience members wishing to address the Board.

The Board recessed at 4:49 p.m. and reconvened at 4:57 p.m.

7. Old Business

A. Covid-19 Mitigation Protocols

This agenda item was addressed under Presentation B. Status Report Covid-19 Mitigation Protocols.

8. New Business

A. Items of Professional Growth

1. Board Annual Retreat

Trustee McCreary met with Linda Kolbusz to discuss the upcoming retreat, which is confirmed for September 21 (full day) and September 22 (half day). There are no preparations required by trustees. Dr. Garber, Dr. Blacksmith and Mr. Ramos will participate in a review of the Board's goals. The retreat will be held in the Building E dining room.

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2. ICCTA Meeting Attendance / September 10-11, Springfield, IL

Trustee Duffy will attend the ICCTA meetings on September 10 and 11. Trustee Ollayos will participate in the Executive Committee planning session.

B. Future Board Meeting Structure

Trustees discussed the possibility of returning to holding closed sessions prior to regular Board meetings on Tuesdays at 5:30 p.m, and this option was preferred by most. It was noted that the Seigle Auditorium will not be prepared for the virtual meeting component until December, at the earliest.

C. Video Recorded Board Meetings Uploaded to Website

Trustee Nowak stated he would like the recorded meetings to be available for public viewing. A discussion followed about the pros and cons of posting recorded meetings, length of time they would be available to view, whether or not other colleges are posting recordings of their meetings, etc. Dr. Sam indicated that more information on this topic will be provided at the September committee of the whole meeting for Board consideration at the October regular meeting.

D. President's Remarks

Dr. Sam will provide comments at the August 10 regular meeting.

Trustee Ollayos recognized the passing of Kathy Matthews, Executive Director of the Elgin Youth Symphony Orchestra for many years, and she provided visitation and funeral details.

E. Chair's Remarks

Vice Chair Meyer mentioned the discussion about Covid-19 protocols earlier in this meeting, stating his comments and questions were done with the best of intentions, as it is the Board's duty to point out responsibility. Trustee Ollayos noted she appreciated the questions raised during the discussion.

F. Announcements

Trustee Ollayos reminded the Board about the Foundation Gala; details are forthcoming.

G. Issues for Next Month's Agenda

Dr. Sam indicated an agenda item regarding seeking permits and bids on the demolition of the Colonial building will be brought to the Board for consideration. Dr. Wagner gave an update on the status of this topic, stating bid documents for the demolition are almost complete. The bid opening is scheduled for late August; and this item will be on the agenda for September's meeting. Trustee Redmer would like to proceed with bids for the fitness center and culinary arts area; and she also would like to revisit the status of the Burlington site, adding that Phase I has not been finished and time delays are costly.

9. Recess to Closed Session

- A. To discuss minutes of meetings lawfully closed under this Act...
- B. To consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the college...
- C. To discuss litigation, when an action...has been filed...or when the public body finds that an action is probable or imminent...
- D. To consider collective negotiation matters...for one or more classes of employees...all pursuant to Chapter 5 of the *Illinois Compiled Statutes* Sections 120/2 (c) (21, 1, 11 and 2 respectively).

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Motion: Trustee Duffy moved to recess to closed session.
Second: Trustee Ollayos seconded the motion.
Roll-Call Vote: Aye, 6; Duffy, Meyer, Redmer, McCreary, Nowak, Ollayos;
Nay, 0; Student Trustee Allen, aye. Motion was made at 5:23 p.m.
Due to a tornado warning, the meeting was suspended and all sheltered in place. Virtual connections were lost due to the storm. While sheltering in place, the closed-session began at 5:54 p.m. with Trustee McCreary in attendance by phone connection.

10. Reconvene Open Session

The closed session concluded at 6:31 p.m. The board reconvened in open session at 6:34 p.m.

Adjournment

Motion: Trustee Nowak moved to adjourn the meeting.
Second: Trustee Ollayos seconded the motion.
Roll-Call Vote: Aye, 6; Meyer, Duffy, McCreary Ollayos, Redmer, Nowak;
Nay, 0; Student Trustee Allen, aye.
The meeting was adjourned at 6:35 p.m.


Donna Redmer, EdD, Board Secretary


Diane Kerruish, Board Recorder