

**NORTHERN NEW MEXICO COLLEGE
BOARD OF REGENTS MEETING
AUGUST 20, 2009**

I. CALL TO ORDER

A regular meeting of the Board of Regents of Northern New Mexico College was held on Thursday, August 20, 2009 in the Boardroom of the Montoya Administration Building on the Espanola Campus. Regents present: Michael P. Branch, Alfred Herrera, Cecille Martinez-Wechsler, and Theresa Martinez. Regent Feliberto Martinez was excused from attending the meeting. Board President Michael Branch called the meeting to order at 2:08 p.m.

Northern New Mexico College staff present: David Trujillo, Interim President; Dr. Andres Salazar, Interim VP for Finance and Administration; Alfredo Montoya, Dean of Student Services/Director of Financial Aid; Carlos Martinez, Director of the El Rito Heritage Retreat Center; Tom Alvarez, Public Information Director; David Schutz, Director of Facilities and Capital Projects; Carmella Sanchez, Director of Institutional Effectiveness; Enzley Mitchell, Athletic Director and Men's Basketball Coach; Nancy O'Rourke, Director of Human Resources; Guido Gellis, Director of SOL/SSS; and Josephine Aguilar, Assistant to the President and Recording Secretary. Others present: Tim Crone, faculty, and Bryant Furlow, Reporter from the Rio Grande Sun.

II. APPROVAL OF AGENDA

The final agenda was approved as presented.

III. APPROVAL OF MINUTES

The minutes for the regular meeting of July 27, 2009 were approved as presented.

IV. FINANCIAL REPORT

A. Budget Status Report for the month ending July 31, 2009.

Dr. Andres Salazar presented the Budget Status Report for the month ending July 31, 2009. He stated that July is the first month of the new fiscal year and there aren't many expenses to report. Some adjustments may have to be made to the budget given the circumstances of the state funding. He encouraged the Regents to send him questions regarding the budget via email so he may answer in detail. Dr. Salazar reported on the following topics:

RPSP submissions for FY 2011: At the last Board meeting the Regents approved the Research and Public Service Projects (RPSPs) submissions to the Higher Education Department. The figures presented were preliminary and Interim President Trujillo indicated that they may change. Dr. Salazar informed the Board that the final numbers were \$300,000 for the master degree programs, \$300,000 for the nursing program, \$125,000 for the Northern Pueblos Institute (NPI), and \$330,000 for Athletics. The total amount is \$1,055,000. These are expansion programs. Regent Branch stated these programs are reduced every year and suggested that some of these programs, like Athletics, be placed into a line item and removed as a RPSP.

LFC Financial Outlook for FY 2010: Interim President Trujillo and Dr. Salazar attended an LFC meeting in Angel Fire on Friday, August 14. An economist hired by LFC delivered a grim report concerning the budget outlook in the state of New Mexico. A \$400M revenue short fall in the budget is predicted. Some legislators Interim President Trujillo and Dr. Salazar spoke to were not encouraging and stated that the College should be looking at a 2.5% to 5% budget cut after the special session. Various legislators stated that institutions should prepare themselves for a 3% to 5% cut for the current 2010 allocation from the state.

NNMC Budget Revision – Training on September 11, 2009: The College will reconvene a committee similar to the Effective Resource Management Committee formed last year to review the budget cuts. On September 11, a full day will be dedicated to working with financial representatives from academic and other departments of the College. These individuals will be trained to look at the current budget to find ways where 5% that can be cut. The federally funded programs will not be affected. Regent Branch suggested that the Regents be kept up-to-date through the Finance Committee of the Board.

Mesa Vista Schools: The new Mesa Vista Elementary School building is complete but inspectors found some irregularities in the electrical circuit system. They have requested the temporary use of Jaramillo Hall for about two months. A contract was submitted charging them a \$2,500 weekly fee for seven classrooms. Mesa Vista rejected this proposed due to lack of funds and accepted a second offer in the amount of \$1,000/week. Regent Branch stated that the contract should contain liability concerns due to the interaction of young children and adults in the same facility. Dr. Salazar reported that all College and HEP courses have been relocated to another building. The contract states that Mesa Vista is responsible for security of Jaramillo Hall from 7:00 a.m. to 10:00 p.m. Regent Herrera expressed his thanks to administration for working with the school district in this regard.

TouchNet: A final contract has been negotiated with TouchNet to provide an opportunity for students to make automated payments towards tuition and fees. The cost for this system is \$40,000 for the installation of the software and \$60,000 a year for the licenses. TouchNet intends to have this service operational for the spring 2010 semester. The system will be self-sustaining (\$25.00 fee approved by the Regents times the number of users).

Copiers and Services: The College entered into a contract with a new company called Pacific Automation. The College will now have eight up-to-date copiers instead of seven. Some of these are color copiers. Toners are included in the service contract, which is a cost saving measure. The College is considering a copy room which would allow the opportunity for faculty and staff to bring in their high volume copying requirements to an operator. The College currently contracts out for high volume copying.

Water rights – South Campus Tract: On the advice of the College's attorney, Mr. Ted Trujillo, regarding water rights at the El Rito Campus, the College proposes to retain 29 acre feet and transfer 36 acre feet to the El Rito Regional Water System now that the College will be hooked up to this system. Regent Branch stated that the amount of gallons per acre foot has been determined not by usage but by leakage and advised the College to be cautious in transferring water rights because they become permanent. Dr. Salazar stated that a further analysis will take place and a final recommendation will come before the Board. At the Espanola Campus, Dr. Salazar stated that the purchase price for the water rights in the amount of \$10,000 per consumptive acre-foot associated with the acquisition of property from Gerald L. Martinez seems too high. This amount was assessed and it has been determined that \$5,000 is a more reasonable

amount for those water rights. Dr. Salazar will research the purchase agreement to find out what occurred with the transfer of some water rights when the property was purchased.

Apartment for athletes: This year the College will accommodate the athletes' housing needs by renting the apartments and then subleasing back to the athletes. The College will work with the owner of Butterfly Springs Apartments in Pojoaque in acquiring 13 apartments in which the athletes themselves will be the tenants, not the College. Rents will be paid through financial aid, scholarships, etc.

Capital Projects: Mr. David Schutz, Director of Facilities and Capital Projects, presented a Capital Projects Status Report (attached). He stated that items no longer pertinent to this report have been eliminated. Mr. Schutz reported on the following projects: College of Education Building, SERPA Building, El Rito Pedestrian Plaza and Water Project, Espanola Bookstore Expansion, Adobe Building Renovation, Ben Lujan LRC Addition, and the Nick Salazar Center for the Arts. The status of these projects is spelled out in detail in the attached report. Since the Adobe Building Renovation project is pending until additional funding is acquired for completion, Mr. Schutz informed the Board that he will research as to why the initial recommendation was to salvage the building. Mr. Schutz stated he will come up with a recommendation and cost estimates for this building.

MIS: Dr. Salazar stated that Ms. Patricia Borrego retired as MIS Director earlier this year. The position was advertised, applications received were reviewed by a committee, and one individual has been interviewed. A recommendation to hire a MIS Director will be presented to the Board. Dr. Salazar stated that the College is in dire need of upgrading the connectivity speed to the Internet. Many classes are requiring more and more bandwidth and more students are requiring access to the Internet to do their homework. The College now has a six megabit connection to the Internet; 100 megabit is needed in the next two to three years. Efforts are taking place to provide the Espanola Valley with more broadband connectivity. A number of initiatives are also taking place to make the Espanola Campus wireless.

Operations: Dr. Salazar reported that the Eagle Memorial Gym has roofing problems and plans are taking place to repair the problems. He also reported that a water pipe burst and flooded a number of offices at the JCI Building. Custodial staff responded quickly and Risk Management has been contacted to assess the damage. The LANL Machinist Apprenticeship Program has vacated the space they occupied in the Metal Trades Building. This space is about 4,000 sq. ft. and can be used for a number of purposes. A committee will be formed to see what to do with this space.

Business Office: Dr. Salazar is overseeing, on an interim basis, the Business Office and MIS Department. On the Business Office side, he found that accountants were covering for the Switchboard Operator during her absence. In order to prevent disruptions among financial staff he has transferred the responsibility of the Reception Desk to the Human Resources Director to make sure coverage is provided by other individuals. He is also working with coverage issues in the cashier's office.

V. OLD BUSINESS

A. Facilities Report.

Mr. David Schutz presented his Capital Projects report under Financial Report, Agenda Item IV(A), above.

B. Recommendation for Architectural Consultant-SERPA Project.

Mr. Schutz reported that a total of 15 proposals were received from qualified architectural firms in response to the RFP for the SERPA Project. Of those, four were interviewed by the Architectural Selection Committee. After conducting the interviews, the committee is recommending the firm of Dekker, Perrich, Sabatini (DPS) from Albuquerque for this project. Mr. Schutz stated that DPS is a well respected firm and extremely competent. Mr. David Trujillo, Interim President, recommended approval.

Regent Alfred Herrera moved to approve the recommendation of the Architectural Selection Committee and the Interim President. Motion carried unanimously.

C. Recommendation for Architectural Consultant-Library Addition.

Mr. Schutz reported that a total of 14 proposals were received from qualified architectural firms in response to the RFP for the Library Addition Project. Of those, four were selected for interviews. Interviews were conducted on Wednesday, August 19, from 8:00 a.m. to 12:00 noon. After conducting the interviews, the committee is recommending the firm of Studio Southwest who has offices in Santa Fe and Albuquerque. Mr. Schutz recommended that the College enter into contract negotiations with Studio Southwest in order to proceed with the library project. Interim President Trujillo recommended approval.

Regent Theresa Martinez moved to approve the recommendation of the committee and the Interim President. Motion carried unanimously.

VI. NEW BUSINESS

A. Approval to award contract for LEED Commissioning Services-College of Education Building by David Schutz.

Mr. Schutz reported that proposals were received from three consulting firms to provide LEED Commissioning Services for the College of Education Building. Under LEED requirements, Mr. Schutz stated the College must hire an independent LEED consultant to work with the architect and contractor in order for that facility to be LEED certified. The College is shooting for a Silver certification. After interviewing all three firms, Mr. Schutz is recommending that a contract be entered into with Text Marc Commissioning Solutions. Mr. Schutz provided the company's portfolio documents, which are attached. Mr. Schutz stated that the contract for these kinds of services runs in the range from about \$7,500 to \$10,000. Interim President Trujillo recommended approval.

Regent Herrera moved that a contract be entered into with Text Marc Commissioning Solutions as recommended. Motion carried unanimously.

B. Recommendation of Contractor for El Rito Plaza and Water System Improvement Project.

Mr. Schultz stated that formal bids were received from two contractors for the El Rito Plaza and Water System Improvement Project. The responsible low bidder is Accent Landscape Contractors from Albuquerque, New Mexico. The bid is at \$643,529.84. The engineer projected construction cost was \$752,965.00. Mr. Schutz provided the bid tabulation sheet, contract

between Owner and Contractor, and the Contractor's Qualification Statement in the Board packet for the Board's review prior to the meeting. Interim President Trujillo recommended approval.

Regent Branch asked if the College will reinstate back into BR&R the 3DI funds used for this emergency project. Interim President Trujillo stated that about \$534,000 of the total budget came from 3DI and \$200,000 from the McCune Foundation. If any monies remain from the 3DI funds, the College could revert the funds back to BR&R. It is premature to project whether or not there will be any funds left. Mr. Trujillo stated the College would like to incorporate bid alternate No.1 which was the acquisition and installation of park equipment in the plaza itself. Without park equipment (benches, trash receptacles, tables, etc.) the plaza will look incomplete. This is a \$50,000 project if the College decides to go this direction.

Regent Cecille Martinez-Wechsler moved to approve the low bidder, Accent Landscape Contractors, as recommended. Motion carried unanimously.

C. Conflict of Interest Policy (first reading).

Interim President Trujillo stated that the Faculty Senate created an ad hoc committee to develop a Conflict of Interest Policy. The committee followed the policy developed and approved by the University of Colorado, which is standard among universities. The Faculty Senate and the President's Council reviewed and approved this policy. A Conflict of Interest Policy and a mechanism for disclosure of potential conflicts of interest is a requirement for federal grant funding. This policy is made available to the Regents as a first reading. Between the first and second reading, the College will check to see if there are any overlaps or conflicts with the staff and faculty handbooks. The Conflict of Interest Policy addresses topics like nepotism, disclosure of outside employment, etc. Regent Branch stated that in addition to the staff and faculty handbooks, the Board of Regents Policies and Procedures also makes reference to nepotism.

D. Extraordinary Benefit Policy (first reading).

Dr. Andres Salazar reported there have been some misunderstandings concerning extraordinary benefits. Benefits were granted to certain employees over a period of time and because of the responsibility of the College to withhold tax, misunderstandings occurred. The College may deem it appropriate to award a staff (or academic) employee a benefit that is not normally available to other employees of the same pay grade or supervisory rank. Such extraordinary benefits are spelled out in the attached policy. These extraordinary benefits would benefit an employee on a personal basis and include things like housing, reimbursement for travel to attend an academic program, relocation expenses, etc. This policy is made available to the Regents as a first reading. The policy will be presented to the Board as a second reading for informational purposes or final reading for approval in the near future.

(At this time the Regents recessed for a brief break at 3:28 p.m. The open meeting reconvened at 3:48 p.m.)

E. Athletic Program Report by Coach Mitchell.

Mr. Enzley Mitchell, Athletic Director and Boys Basketball Coach, presented a PowerPoint presentation concerning the athletic program at NNMC. Mr. Mitchell provided an update and addressed several issues pertaining to the athletic program including the recruiting process, the 2009-2010 men's basketball schedule (women's basketball schedule not ready), and new sports being considered for 2010-2011 including men's and women's Cross Country, Golf, Bowling,

and Cheerleading. Mitchell also explained that the Eagle Memorial Gym is closed three days out of the week during practices in order to avoid disruptions. The Espanola Campus has only one facility for three users: academic use, student recreation use, and athletics. The athletic program has taken the smallest time slot possible, which is from 3:00 p.m. to 8:00 p.m. This is the best arrangement at this time without cutting back on practices. Regent Theresa Martinez stated the closure of the gym is a big issue for academic and student recreation use. Mr. Trujillo stated he will follow up to see if there are other alternatives available.

Mr. Mitchell also explained why the El Rito Campus is not being considered for housing, practices, or competitions. The main reason is the distance and the costs involved to upgrade Grant gym. Mr. Mitchell stated that next spring the College will declare its intent to participate in the NAIA Conference in 2010. A contract has been negotiated with Butterfly Apartments in Pojoaque for the athletes whereby the athletes will be the responsible parties and will sign the lease agreements. The bus purchased for the athletic program is fully operational and will be used whenever possible to minimize the need to rent a charter bus for away games. A brief discussion concerning the need to advertise and provide more media coverage for NNMC's basketball games took place.

F. AQIP Update by Carmella Sanchez and Dr. Dan McLaughlin.

Ms. Carmella Sanchez, Director of Institutional Effectiveness, provided an update concerning the strategic planning objectives identified at the November 2008 Strategic Planning Retreat. The data immersion topics reviewed by 50 participants at the Retreat were numerous. At the conclusion of the two-day forum, a Gantt chart was developed listing all action projects or objectives, which were assigned to PIT teams and/or individuals responsible for completing the task and timeframe for completion. The 59 objectives identified were narrowed down to 41 (removing and combining duplicates). The 41 objectives fall into seven different categories, which are the strategic initiatives. The strategic initiatives include: 1) Promoting student success, 2) Align Resources with Institutional Priorities, 3) Support Institutional Growth/Development, 4) Improve Infrastructure, 5) Improve Communication, 6) Increase Service to Community, and 7) Improve Stakeholder Satisfaction. A copy of the PowerPoint presentation is attached, which reflects the percent completion for each objective.

The three current action projects, reportable to the Higher Learning Commission, include the following: 1) develop strategies for recruitment, retention and placement, 2) design, adopt and implement a new method for faculty performance evaluations, and 3) improve the receipt, processing and clearing of maintenance reports received from customers. Approximately 10 action projects have been retired. At the Strategy Forum scheduled in Chicago in May, 2010 three to four new action projects will be identified based on the Systems Portfolio Appraisal. The College's Strategic Plan is reviewed every three years. The next review is scheduled in 2011.

Regent Branch stated that the Board had requested monthly reports and thanked Ms. Sanchez for the update. Interim President David Trujillo reported that the AQIP Council did not meet during the summer months.

VII. PRESIDENT'S REPORTS AND ANNOUNCEMENTS

1. Interim President David Trujillo reported that he spoke with President Emeritus Dr. Jose Griego about the idea of a national retreat center for veterans with PTSD in El Rito. There are

several issues still under discussion. Mr. Trujillo will also be discussing a feasibility study regarding the center with Dr. MaryAnn Franklin.

2. The Grants Development Office continues to work on various grants to bring in resources to NNMC. Aside from the broadband initiatives submitted, a grant for about \$9M for teacher training in math and science has been submitted in partnership with the LANL Foundation to the National Science Foundation.

3. On Friday, August 28th, a team from Keystone International, Inc., was be at the Boardroom on the Espanola Campus at 10:00 a.m. to discuss their findings and answer any questions faculty and staff might have concerning the Keystone Report.

4. Dr. Salazar and Mr. Trujillo met with the El Rito Community Committee on August 12, 2009. Mr. Trujillo presented a progress report and reported that the meeting went well. The committee discussed the idea of a Charter School. The College will provide input and assistance.

VIII. COMMENTS FROM THE BOARD

1. Regent Theresa Martinez, Co-Chair of the Presidential Search Committee, reported that the Search Committee met for the first time on Wednesday, August 19, 2009. The committee reviewed the timeline and a lot was accomplished. Minor changes were made to the Presidential Profile. A week has been set aside the later part of October to review applications. The Search Committee will meet again on Thursday, November 5, to select 7-10 semifinal candidates. On November 17-19, 2009, the semi-finalists will be interviewed by the Search Committee. On November 30-December 3, the finalists will be interviewed by the Board of Regents. Final candidates will also participate in open public forums. If all goes well, the Board of Regents will announce the next President of NNMC mid-December, 2009.

Since the changes to the Presidential Profile were minor, Regent Martinez and Regent Herrera suggested that the revised profile be presented to the Board as an informational item. Regent Branch stated that the practice among institutions throughout the state has been not to reveal the name of every candidate who applies. Regent Theresa Martinez stated that the Confidentiality Policy for individuals involved in the process of selecting a president of NNMC states that “the identity of candidates is not to be divulged to the press, to members of the NNMC constituency groups, and to the community, unless and until the candidates are invited to come to the college for open interviews as final candidates.”

Tim Crone stated that in the spring the Faculty Senate developed a list on what the faculty would like to see in the new President. The Senate would like to finalize that list at the September 4 meeting and present it to committee for consideration. The two Co-Chairs, Regents Martinez and Herrera, stated they will accept the list for consideration.

Regent Martinez and Regent Herrera stated all the individuals appointed to the search committee took the time out of their busy schedules and attended the first meeting. Regent Herrera stated the Regents are very committed to the notion of being inclusive in selecting the president and that is obviously why the search committee was formed. All the committee members are committed, are all on the same page with no hidden agenda, and serve with integrity.

IX. PUBLIC INPUT

1. Mr. Guido Gellis, Director of the SOL/SSS Program, requested that the Board once again look at the student fee schedule for this year. The Board of Regents approved a \$50.00 student fee structure for students taking 1 to 6 credit hours on April 27, 2009. He has received some feedback from staff, students and the community who are concerned that the fee schedule at the lower level of credits is unfair to the students registering at NNMC. A student registering for a one-credit class pays an additional \$50.00 student fee, which more than doubled the amount owed by students. The number of students signing up for one class is significantly lower this semester.

Regent Branch recommended that staff revisit the fee structure in consideration of HED requirements, budget considerations, and comparisons among other four-year institutions in the state. Dr. Andres Salazar stated the \$50.00 fee was recommended by the Effective Resource Management Committee (ERCM) in order to balance the budget. Some students taking a one-credit hour course per semester (Yoga class for example) might be better served through the Continuing Education Department. A committee will be formed to review this issue and a staff member from the Business Office will assess the financial impact.

Alfredo Montoya explained that the ERCM met from January 26 to April 27, 2009 to develop plans for addressing the FY 2008-09 budget (deauthorized by the legislature by 2.5%) and to develop recommendations for the FY 2009-2010 budget. Further cuts were necessary due to the cut in the FY 2010 budget by \$1.2M. As a result of this budget process, the travel, supplies, and professional development budgets for all departments at the College were reduced significantly. The ERMC did not want to cut programs, personnel, or mandate furloughs, so the ERMC recommended a modest increase in tuition and, in order to deal with the budget shortfall, an increase in student fees was also recommended. By increasing tuition and fees the ERMC was able to come up with a fund balance of 3.5% (3%-5% is required by law). The ERMC also had to allocate 40% of BR&R to Operational Costs. A comparison report of tuition and fees among NM four-year higher education institutions was provided to the Board on April 27, 2009. Mr. Montoya stated that even with the modest increase recommended, Northern's tuition and fees remain the lowest among its comparable sister institutions. However, the committee did not consider the students who take a wellness program course or other one-credit hour courses per semester.

Regent Branch stated that the College at some point will have to change its tuition schedule. Northern is the only college in the state that has a dual level of tuition. When this occurs, tuition for a one-hour credit course will be high in addition to the required fees. Offering these types of courses through Continuing Education may be an option for consideration.

X. STUDENT INPUT

None.

XI. PERSONNEL MATTERS

A. Personnel actions.

Interim President David Trujillo reported that Dr. Meredith Mason Garcia, Director/Associate Professor of Biology, and Dr. Richard Harlan, Associate Professor of Biology, resigned effective July 31, 2009.

Regent Theresa Martinez moved to approve the resignations of Dr. Meredith Mason Garcia and Dr. Richard Harlan. Motion carried unanimously.

EXECUTIVE SESSION:

Board President Michael Branch stated that an executive session will take place to discuss limited personnel matters.

Regent Alfred Herrera moved to adjourn into executive session pursuant to Section 10-15-1(H)(2) of the Open Meetings Act to discuss limited personnel matters. **Regent Feliberto Martinez, Regent Theresa Martinez, Regent Cecille Martinez-Wechsler, Regent Alfred Herrera, and Regent Branch voted in the affirmative to adjourn into executive session at 4:48 p.m. The open meeting reconvened at 6:50 p.m.**

In open session Regent Branch stated that the Board discussed limited personnel matters and no action was taken.

XII. ADJOURNMENT

Regent Theresa Martinez moved to adjourn the meeting. The meeting adjourned at 6:52 p.m.

APPROVED: September 17, 2009

/s/ _____
Michael P. Branch, Board President

/s/ _____
Cecille Martinez-Wechsler, Secretary/Treasurer