

**NORTHERN NEW MEXICO COLLEGE
BOARD OF REGENTS MEETING
NOVEMBER 19, 2009**

I. CALL TO ORDER

A regular meeting of the Board of Regents of Northern New Mexico College was held on Thursday, November 19, 2009 in the Boardroom of the Montoya Administration Building on the Espanola Campus. Regents present: Michael P. Branch, Alfred Herrera, Cecille Martinez-Wechsler, Feliberto Martinez, and Theresa Martinez. Board President Michael Branch called the meeting to order at 9:22 a.m.

Northern New Mexico College staff present: David Trujillo, Interim President; Dr. Andres Salazar, Interim VP for Finance and Administration; Dr. Anthony Sena, Provost; Carlos Martinez, Director of the El Rito Heritage Retreat Center; Dr. Cathy Berryhill, Dean of the College Education; Bernadette Chavira-Merriman, Director of Developmental Studies; Dr. Dan McLaughlin, Director of Assessment; Julianna Barbee, Director of the Small Business Development Center; Nancy Sharp, Director of Development; Susan Pacheco, Director of Finance; and Josephine Aguilar, Assistant to the President and Recording Secretary. Faculty present: Dr. Camilla Bustamante, Dr. Mellis Schmidt, and Tim Crone. Others present: Mr. Luis Reyes, General Manager of Kit Carson Electric Coop; Mr. Al Hernandez, Mr. Nick Vigil and Mr. Rick Carlisle from Valley National Bank; Mr. Kelly Duran, US Cable Operations Manager; Eric Tawney, Project Manager with Souder, Miller and Associates; Patricia Westbrook, Landscape Architect; Lou Mattei, Reporter from the Rio Grande Sun; and three students.

A. Introduction of new employees.

Interim President Trujillo introduced Dr. Craig Castleman, full-time faculty and Field Placement Director in the College of Education. Dr. Castleman's first day at NNMC was November 2, 2009.

II. APPROVAL OF AGENDA

Interim President Trujillo recommended that Agenda Item C under New Business be moved up on the agenda to accommodate Mr. Luis Reyes, General Manager of Kit Carson Electric Coop, is present to address the Board. President Trujillo also suggested that Item G under New Business go before Item F. **The final agenda was approved as amended.**

III. APPROVAL OF MINUTES

The minutes for the regular meeting held October 15, 2009 were approved as presented.

VI. NEW BUSINESS

C. Report: Easement and Electric Power Purchase Agreement with Kit Carson Electric Coop.

Dr. Salazar provided a draft copy of the Electric Power Purchase Agreement and Easement with Kit Carson Electric Coop for the Board's review prior to the Board meeting and introduced Mr.

Luis Reyes, General Manager of Kit Carson Electric Coop, to address the Board. Mr. Reyes stated that in 2006 Kit Carson was successful in getting \$5M in solar energy bonds issued by the Department of Treasury. In the bond application, one of the potential locations for a solar array was at the El Rito Campus. Currently, Kit Carson owns and operates the largest array (500 kilowatt) in New Mexico at the UNM-Taos campus. Since Kit Carson last entered into discussions with NNMC many things have changed in which the cooperative operates—more emphasis is being placed on renewable energy, smart grid, smart homes, cyber security, etc., which will take a different type of employee required by Kit Carson. The telecom industry will be merged with electric industry to get the smart grid. Kit Carson requested to form a partnership with NNMC to address these new technology issues and train current and future employees in the utility world. Mr. Reyes' vision for El Rito is a 300 kilowatt solar array with some type of storage attached to it.

Following Mr. Reyes' presentation, Dr. Salazar stated the next step is to work on new agreements with Kit Carson Electric Coop. He reported that NNMC was the recipient of two American Recovery and Reinvestment Act (ARRA) awards, one in the amount of \$495,500 for the upgrade of boilers for El Rito buildings and the other in the amount of \$456,775 for the upgrade of solar panels on the Espanola Campus. Collaborating with Kit Carson will help the College with its heating costs at El Rito and the College will also need to decide the best location for the solar array. Due to limited state funding, Regent Herrera suggested that a broad comprehensive approach be taken through a business plan to see how to sustain this project in the future.

(At this time Dr. Andres Salazar invited Mr. Al Hernandez, Mr. Nick Vigil, and Mr. Rick Carlisle from Valley National Bank to address the Board. The final agenda was amended to accommodate this presentation.)

Report: Valley National Bank

Dr. Salazar reported that members of the BOR Finance Committee, Alfred Herrera and Cecille Martinez-Wechsler, along with David Trujillo, Susan Pacheco, and Dr. Salazar met with Al Hernandez, President of VNB, Mr. Nick Vigil, EVP-VNB and Mr. Richard Cook, Principal Shareholder on Monday, October 26, 2009 to discuss services that VNB provides NNMC. Mr. Hernandez reported that during the past month, VNB has been working towards resolving several customer service issues that were brought to their attention: a) check processing and check reconciliation with complete statement information including check numbering for full reconciliation; b) payroll deposit- ACH processing; c) double postings to NNMC account and timely reversal of those items; d) pledged collateral of the accounts of NNMC and of the NNMC Foundation accounts. VNB purchased and installed encryption software for the College to begin direct deposit processing. *(Note: the first run with this new process and software with the November 20 payroll was successful.)* A copy of a letter dated November 18, 2009 from Mr. Hernandez explaining in detail the issues described above is attached. Mr. Hernandez stated the banking relationship that VNB has with NNMC is a valued relationship and they hope to continue servicing the College's banking needs in the future.

(Dr. Andres Salazar invited Mr. Kelly Duran, US Cable Operations Manager, to address the Board. Agenda Item A under New Business was moved up on the agenda.)

VI. NEW BUSINESS

A. Approval of Educational Programming Agreement with US Cable.

Dr. Salazar provided an updated Educational Programming Agreement (changes highlighted in yellow) to the Regents at the meeting. The updated agreement is attached. Mr. Kelly Duran, US Cable Operations Manager for the Espanola office, stated he spoke with the chief financial advisor for US Cable concerning comprehensive general liability insurance as outlined on page four, and clarified that the College can secure insurance in the amount of \$300,000 to insure the College and the Company against any claims or liability as a result of this agreement. One million dollars is an industry standard and the College does not need comprehensive broadcasters insurance; \$300,000 will suffice. Preliminary meetings have taken place with College staff and US Cable for the College to operate channel six solely for educational programming. NNMC would be afforded transmission of video and audio content such as course materials, lectures, musical and dance programs, athletic contests, interview and commentary programs, etc. A business plan will be developed on how the channel operation could be supported by NNMC. US Cable has hooked the College up in order to start telecasting; however, the College does not currently have a studio or a station manager. Dr. Salazar clarified that if the City of Espanola wants to telecast city council meetings, etc., the College will charge an agreed amount in order to compensate students doing the telecasting or other expenses incurred. Regent Branch suggested the language be modified for Item 6 on page 2 to clarify who pays for videotaped coverages. Item 2 on page 2 states "...programming developed and produced by the College and other local educational institutions." Regent Alfred Herrera suggested that the word and be changed to or. Mr. Duran clarified that the other educational institution is the Espanola School District if they wanted to produce an event, the College would help them in that manner. There is a possibility that NNMC can offer communication courses in the future.

Regent Cecille Martinez moved to approve the Educational Programming Agreement with US Cable with suggested amendments. Motion carried unanimously.

(Regent Branch requested a short break. The Regents recessed at 10:44 a.m. The open meeting reconvened at 11:00 a.m.)

(The final agenda was again amended to hear a report from Mr. Eric Tawney, Project Manager with Souder, Miller and Associates, and Ms. Patricia Westbrook, Landscape Architect, concerning the El Rito Plaza Project.)

El Rito Plaza Project: A historical overview on what has transpired over the last few years was provided by Mr. Tawney and Ms. Westbrook. Mr. Tawney stated that the construction of the El Rito Pedestrian Plaza was coordinated with the construction of the El Rito Emergency Water Project to achieve the highest efficiencies in construction efforts, avoid unnecessary expenditures, protect the Plaza site, and to provide water for the Plaza landscaping. The El Rito Plaza project was delayed due to the El Rito Emergency Water Project. Mr. Tawney explained the problems the College experienced due to the numerous leaks to the elevated water tower tank and the hesitation on the part of the College to start the Plaza Project and then have to tear it up again to fix problems with the water system. Approval of a contract with the El Rito Water and Wastewater Association for transfer of water rights was required prior to connecting to the community water system for domestic water. The water system project is expected to be complete by January, 2010 and then the landscaping project will move forward.

Ms. Westbrook stated she is a Landscape Architect registered in New Mexico, Texas, and Arizona. Ms. Westbrook has been practicing landscape architecture for over 30 years and also has national certification. In October, 2007 she started working on the landscape design project for El Rito. The first thing Ms. Westbrook did was hold a charette with faculty, staff, and other individuals invited by the Director of the El Rito Campus. Many issues were taken into

consideration including the mission and direction of the campus as a National Heritage Retreat Center. Ms. Westbrook presented the overall master plan she developed that incorporated the input of everyone involved. Some changes were made to the final master plan so the loop road ties in to a parking lot in the future. Ms. Westbrook addressed the controversy involving the removal of trees and explained the purpose of having to change the grade of the asphalt parking area due to repeated flooding to Delgado Hall from the hard, paved surface. These cottonwoods in the asphalt parking lot were not in good shape due to lack of sufficient water and were at the end of their life cycle. A picture of a cottonwood tree showed the tree rotted in the center. If there is to be a large change in landscaping and if there is a limited budget, the best thing to do is to remove the trees not in good shape and put new ones back. Ms. Westbrook explained in detail the reason she has selected the shrubs, native plants, and trees for this project reflected in an illustration she disseminated (attached). Mr. David Schultz, Capital Projects Director, stated meetings have taken place with the community, faculty, staff and students to obtain input as to how they feel about the proposed plan. Everyone is supportive about the plaza project. Mr. Schutz has been instructed to form a committee to discuss some of the issues brought forward recently. The committee will bring back recommendations for any modifications to the plan. Regent Branch was appreciative of the presentation because there was an insinuation that the College didn't know what it was doing and had hired an amateur to design the pedestrian plaza. Regent Theresa Martinez stated the presentation was informative and educational and would be beneficial if heard by the El Rito Community, including the media. Ms. Westbrook clarified that what the Board has made is an investment for the future at the El Rito Campus that supports its mission taking into consideration maintenance, liability issues, costs, etc.,—this is a best practice issue which needs to be understood by the public and the media.

IV. FINANCIAL REPORT

A. Financial Report for the month ending October 31, 2009.

A summary of Dr. Salazar's presentation is as follows:

1. Budget: October financial results indicate slightly below expected expenditures and slightly above expected revenues. Overall, this ratio gives the college a better position to sustain additional budget cuts later this year if necessary. Among the higher expenditures include institutional support at 51% expended, plant at 38% expended and auxiliaries at 47% expended compared to the expected 33% level. Larger than expected revenues include tuition at 43% received and fees at 45% received.

2. ERUC Recommendations for FY10 Budget Adjustment: Last week the Governor signed the budget rescission bills from the Special Legislative session. The NNMC amount is \$260 thousand provided Governor authorizes 2% restitution of the budget cut for all higher education institutions. Flexibility in the implementation of the budget cuts has been kept by the Governor.

The Effective Resource Utilization Committee (ERUC) has been meeting over the past few weeks to identify, evaluate and recommend budget items that can be reduced during the current year to comply with the state mandated funding rescission. The final ERUC recommended budget cuts will be submitted to the Leadership Team on Tuesday, November 24, 2009. Upon its and President Trujillo's approval the revised budget adjustment will be reviewed by the Finance Committee of the Board and then submitted to the Board for final approval. It is anticipated that the revised budget implementation will start on January 1, 2010.

3. FY09 Audit: Moss-Adams, on its first annual audit of NNMC financials, has stated that it is on the home stretch of completing its work and will have an audit draft this week. A draft of its early findings has been submitted for the Board's review. A letter of delay notice has been sent to the State Auditor's office indicating the audit has not been completed by November 15 as required by statute but will require a few more days to complete.

4. Payroll & Headcount: Dr. Salazar provided year to date payroll and headcount totals as reflected in the table he attached to his report.

5. Capital Projects: A capital projects update was provided by Mr. David Schutz, Director of Capital Projects. Refer to Agenda Item B under Old Business below.

7. NNMC Foundation: Dr. Salazar invited Ms. Nancy Sharp, NNMC Foundation Executive Director, and Ms. Susan Pacheco, Director of Finance, to join him in this presentation. As mentioned previously, the assets of the NNMC Foundation were reviewed and confirmed for the close of the FY10 first quarter and are slightly higher for October. They can be decomposed into the following categories – (a) Cash - \$766,021; (b) CD's - \$681,908; (c) Investments (as valued by Roby) - \$1,691,988 – for a total of \$3,139,929. Liabilities have been analyzed and a balance sheet has been produced.

Ms. Pacheco reported she researched financial records between the College and the Foundation commencing with FY04. Reconciliation of accounts between NNMC and its Foundation has been completed as part of the FY09 audit. It has been determined that the Foundation does have a payable to the College in the amount of approximately \$302,000. (Attached are handouts describing in detail the NNMC Foundation activity FY04 to FY09, a summary of Foundation Scholarships as paid by the College on behalf of the Foundation, Foundation Balance Sheet and Income Statement, etc.) Should the Foundation reimburse the College with a cash payment, the cash total cited above would be reduced from \$766,021 to \$463,597 and its total gross assets would fall to \$2,837,505. Ms. Sharp stated she is pleased knowing exactly where the Foundation stands financially. She stated that the Finance Committee of the Foundation met earlier this week and will present two action items to the entire Foundation Board at a meeting scheduled at 4:30 p.m. on Thursday, November 19, 2009: 1) a recommendation that by the end of this year \$302,424.44 will be paid back to the College, and 2) that the Foundation pay to the College ahead of time the money used for scholarships.

8. ATM Proposal by NM Educators Credit Union (NMECU): Refer to Item B under New Business below.

10. US Cable Agreement – Channel 6: This item was moved up on the agenda (see Item A under New Business above).

11. Enterprise Accounting Update: Finally, Dr. Salazar spoke about the auxiliary enterprises managed by the College: the Bookstore, El Rito Cafeteria, and the Childcare Center. He provided two simple Profit and Loss statements for the El Rito Cafeteria and the Child Care Center (attached). Since 2005 both enterprises have sustained significant losses. Efforts will be made to examine the loss drivers to see if loss mitigation can be instituted. In the case of the El Rito Cafeteria, a new menu price list (attached) was submitted to the Board for review and approval. He requested that the Board authorize the Office of the President to have the latitude to look at the menu periodically and adjust the prices as needed.

Regent Cecille Martinez moved to approve the new menu price list for the El Rito Cafeteria, seconded by Regent Feliberto Martinez. Motion carried unanimously.

In the case of the Snack Bar on the Espanola campus, a lease agreement has been in place with Ron Marquez since April 18, 2005. A lease payment of \$200/month was part of the agreement. Dr. Salazar reported that no payment has been received so the College holds a \$10,800 receivable as of October 18, 2009. Mr. Marquez is ready to re-negotiate the agreement and incorporate some form of payback plan for the receivable. Dr. Salazar provided a summary of services provided by Chef Ron since 2005 (attached).

Regent Feliberto Martinez moved that the College re-negotiate the agreement with Mr. Marquez. Motion carried unanimously.

Concerning the Child Development Center, Dr. Salazar recommended that the Business Office sit down with the Dean of Student Services to find out where the cost factors are related to running the Child Development Center. Regent Branch stated that a \$75 thousand loss in one year is not acceptable and would like a comprehensive report at the next board meeting.

(The Board of Regents at this time recessed for lunch at 11:50 a.m. The open meeting reconvened at 12:35 p.m.)

V. OLD BUSINESS

A. AQIP Update and approval of revised 1) Strategic Planning Map, 2) Strategic Goals 2009, and 3) AQIP Council Charter.

Dr. Dan McLaughlin presented three documents for the Board's review and approval. The first document, the Strategic Planning Map (attached), establishes guidelines for ensuring continuous quality improvement in College planning. The five phases of strategic planning are outlined in this document. In the second document the Strategic Goals 2009 were consolidated and aligned to AQIP categories. The third document is the AQIP Council Charter. Article I brings into explicit alignment the strategic planning process, action projects, committees, process improvement teams, and the reporting requirements of the systems portfolio. These three documents were approved by the AQIP Council on November 10, 2009. Many of the strategic goals listed do not require money to complete.

B. Capital Projects Update Report.

Mr. Schutz provided a capital projects update report (attached) to the Board prior to the meeting. A summary of his presentation is as follows:

College of Education Building - Construction is underway and on schedule. Projected completion date is June 30, 2010. The main entrance was closed for two days for sewer line extension.

SERPA – The Governor has issued a freeze on all capital projects that had been funded with severance tax and/or general fund monies. \$2M of funding may be voided due to Governor's budget proposal. The Governor's decree allows the College to move forward with contracts that were executed on or before October 30. Therefore, the architectural design continues to move forward. (Other projects affected by the freeze decree include the addition and expansion of the Bookstore, the CFA update for lighting and acoustic, and the Las Cumbres monies.)

El Rito Plaza – Landscape architect review completed. Work proceeds on plaza infrastructure. (A detailed presentation occurred at the beginning of the meeting.)

Ben Lujan LRC Addition – This project was funded with GO Bonds so it is not affected by the freeze. The design team is being expanded to include faculty and students. The project is moving forward on schedule. Collaboration discussions with the city regarding the library have been suspended because the city decided to go with a bond issue. Regent Branch stated that regardless of what the city does, he encouraged the College to keep an open mind at providing services for the community.

Student Housing Project – Mr. Schutz is meeting with various people that have expertise in terms of financing and designing a student housing facility. Mr. Schutz is meeting with the NM Finance Authority today and on November 23 Interim President Trujillo and Mr. Schutz will visit NMHU to get ideas on how their student housing facility was handled financially.

Water rights/land acquisition – Dr. Salazar respectfully requested that the Board enter into Executive Session towards the end of the meeting to discuss negotiation strategies for additional water rights and land acquisition.

El Vado Property – Dr. Salazar stated that Mr. Schutz visited the El Vado property recently and reported that the buildings continue to deteriorate. There is some asbestos in those buildings and Mr. Schutz stated it would probably cost the College about \$1M to remove the toxic materials. Regent Branch stated the College lost an opportunity a few years back regarding some funding that might be available for cleanup.

C. Extraordinary Benefit Policy (final approval).

The first reading of the Extraordinary Benefit Policy was presented to the Board for review on August 20, 2009. Dr. Andres Salazar reported 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. The final version of the policy has been approved by the Staff Council and the Faculty Senate.

Regent Cecille Martinez moved to approve the Extraordinary Benefit Policy as presented. Motion carried unanimously.

VI. NEW BUSINESS

A. Approval of Educational Programming Agreement with US Cable.

This item was moved up on the agenda (see above).

B. Approval of Lease Agreement with CU Anytime LLC.

Dr. Salazar presented a lease agreement proposed by NMECU for installing an ATM machine in the Montoya Administration Building for a few months to evaluate the level of banking activity

that students and staff would generate at that location. Should the level be too low, NMECU would reserve the right to move the ATM to the exterior of the building. He requested that the Board delegate the signing of the final agreement to the Office of the President. It is anticipated that the services from NMECU could be made available sometime in the spring semester.

Services that NMECU will provide students include: a) scholarship and student loan funds would be made available through a debit card for a student without a charge to the college or the student. b) classes in personal financial management offered free of charge to students.

Regent Theresa Martinez moved to approve the lease agreement with CU Anytime LLC, seconded by Regent Alfred Herrera. Motion carried unanimously.

C. Report: Easement and Electric Power Purchase Agreement with Kit Carson Electric Coop.

This item was moved up on the agenda (see above).

D. Approval of MOU between NMJC and NNMC.

Dr. Salazar stated that New Mexico Junior College and Northern will jointly employ a Data Base Administrator to support each institution's administrative software system (Banner). The sharing of expenses for office facilities, hardware and software support, and server rack space are also a component of this agreement. Dr. Salazar reported that Santa Fe Community College and New Mexico Tech have pulled out of a previous NMESC services agreement. At the request of the Regents, Dr. Salazar will provide the dollar figure which is not reflected in the agreement. The MOU states that both institutions will prepare a budget and share equally in the expenses.

Regent Theresa Martinez moved to approve the MOU between NMJC and NNMC with the understanding that Dr. Salazar will provide the dollar figure. Motion carried unanimously. (Note: Dr. Salazar later passed a document (attached) reflecting the amount of \$37,473 for FY09-10.)

E. Approval of Christmas and New Year's Schedule.

The following proposal was presented to the Board of Regents for approval: The two campuses will close on Tuesday, December 22, 2009 at 5:00 p.m. and will remain closed until Wednesday, January 6 at 7:30 a.m. The typical employee will take four days of holiday and six days of annual leave during the period December 23-January 5 as follows:

<u>Holidays:</u>	<u>Annual Leave Days:</u>
December 24 – Christmas Eve	December 23, 28, 29, 30
December 25 – Christmas Day	January 4, 5
December 31 – Veteran's Day	
January 1 – New Year's Day	

Staff was notified that they may, again, voluntarily forego a holiday on Veteran's Day, Wednesday, November 11, in order to take a total of four holidays between December 24 and January 1.

Regent Feliberto Martinez moved to approve the Christmas and New Year's Schedule as presented. Motion carried unanimously.

F. Summary: Academic Program Review, Spring 2009 Semester.

Dr. Anthony Sena, Provost, presented a Power Point presentation (attached) concerning the programs that were reviewed in AY 2008-09: Business Administration, College of Education, Environmental Science, and Biology. Program review is conducted in a three-year cycle. Dr. Sena is proposing this spring to move the cycle to every four years effective in 2010, which will provide an opportunity to examine more programs. The four baccalaureate degree programs reviewed comprise almost 40% of all declared majors. Enrollment and SCH data along with highlighted successes for these programs are reflected in the attached presentation. As a result of the program review, common challenges include: 1) Recruitment and Retention – develop and coordinate systematic and comprehensive system; 2) Curricular – improve management of scheduling, offerings, development of general education core, and CIP assignments; 3) Instructional Resources – execute technology, facilities, training and professional development planning; 4) Advisement – enhance availability, guidance and student advisement records; and 5) Accreditation and Assessment – install measures for effective appraisal and reporting.

In addition to these four programs the College has had in the last three years a continuing watch on some of the Career Technical Education Programs (CTE). These programs include: Adobe, Electricity, Fiber Arts, Spanish Colonial Furniture Making, and Automotive Technology/Auto Body (ATEC/ABR). The College has started to see an increase of declared majors in the ATEC/ABR program as a result of the new building at the Espanola Campus. The other programs are located at the El Rito Campus. Dr. Sena stated these programs serve a purpose in the community and are valuable. Most of the students taking these courses are not taking them for a degree. Whether or not they should be credit bearing programs is a question the College needs to consider. The detailed program review document (300 pages) is available in the Provost's office.

At Dr. Salazar's request Dr. Sena explained the steps necessary to obtain approval for graduate programs: 1) All internal approvals, 2) NM Council of Graduate Deans (NMCGD) approval, 3) Academic Council approval, 4) State Board of Finance approval, and lastly 5) Higher Learning Commission approval. On November 6, 2009 Dr. Sena attended the Academic Council meeting where they entertained seven graduate programs from UNM and NMSU. The Chief Academic Officers (CAO) indicated that the Academic Council has never had proposals brought to them that did not have a unanimous vote from the NMCGD. The Academic Council is anticipating NNMC's graduate programs to come before them in the near future. One of NNMC's proposals (Master of Engineering in Information Engineering Technology) received a unanimous vote from the NMCGD. The other program (Master of Arts in Teaching Mathematics and Science) passed with five in favor and one opposed. A discussion took place that if the Academic Council approves Northern's graduate programs, it means that they are confirming that NNMC has the ability to offer graduate programs. Some of the CAOs in the meeting were concerned that this may be in variance with our constitutional mission. Dr. Sena presented the case that the purpose of the Academic Council is to act on the proposals and the constitutional mission of NNMC is not within their purview. Dr. Viola Flores, Secretary of HED, agreed to listen to Northern's two graduate programs in January. Dr. Sena stated that the Academic Council had not met formally in the last five years and they now want to install by-laws and a constitution for the Academic Council. This may delay presenting NNMC's graduate proposals to later in the year. Dr. Sena feels it may be detrimental for the College to have this delay. Interim President Trujillo stated that specifically for Title V funding it would be disastrous. Some indication is needed in the application by April or May that the College is able to offer 500 and above level courses. This is a potential of 2.5M dollars over five years to get the graduate programs up and running. Dr. Sena stated he will do everything he can to get the proposals heard in January. Regent Branch

agreed that the College does not need to justify to anyone the Board's authority. He stated the best and quickest approach would be to go to the Attorney General and through an appeal process go to the Supreme Court to obtain a statement that NNMC has the constitutional right as anybody else to offer graduate programs.

Dr. Salazar explained that the Master of Engineering in Mechanical Engineering (Solar Energy Emphasis) received a vote of five in favor and one opposed from the NMCGD. The Master of Arts Degree in Teaching and Learning received a tie vote, 3-3. The Leadership Team decided that at this time the College would have a better chance of getting two programs approved instead of four by the Academic Council.

G. Report: Hazmat Science Applications Business Plan.

Dr. Camilla Bustamante, Chair of the Math and Science Department and Director of the Environmental Science Program, provided a Power Point presentation (attached) concerning the Hazmat Science Applications Business Plan requested by the Board of Regents. The preliminary draft was completed in the spring 2009 but had been delayed due to three significant developments that required some plan modifications. These developments include: 1) Partnership with MARTECH International (MOA signed July, 2009); 2) Proposal to the Department of Defense for five-year contract (in progress) that would require housing a portion of Hazmat Science Applications in Virginia; and 3) Pending partnership with Oklahoma State University (letter of support sent October, 2009 – MOA in progress). The HSA Business Plan clarifies the role of what HSA does for Northern's Environmental Science Program.

Background: In the summer of 2008, a group of retired scientists from LANL, who provide hazardous material "hazmat" training to policemen, firemen, etc., under a division (Hazmat Science Applications-HSA) of Technology Management Company, Inc., (TMC), donated the assets of HSA, in their entirety, including its name, intellectual property, equipment, facilities, supplies, and customer lists to NNMC. The building in question is located in Santa Fe. Dr. Bustamante stated OSU was the original institution that was going to receive Hazmat Science Applications but instead NNMC was the recipient. In her presentation Dr. Bustamante spoke about the mission of HSA, the six sigma applied science elements, and the financial factors involved. To make this a sustainable program, Dr. Bustamante stated she is looking at external revenue sources to make the program viable as part of NNMC's research capability for students to understand how chemicals behave in the natural environment and in emergency situations. The tools and resources that NNMC has through HSA are unique to anything that this country provides. Dr. Bustamante showed a video that illustrated what the simulants that were developed at LANL provides.

VII. PRESIDENT'S REPORTS AND ANNOUNCEMENTS

1. Regarding the El Rito Campus, Interim President Trujillo reported that Dr. Cathy Berryhill, Dean of the College of Education, is leading a team to develop the Charter School idea. Carlos Martinez and staff at El Rito have been asked to identify some efficiencies and ways to be more effective and improve business operations. Recommendations will be brought before the Board. The El Rito Plaza project is on schedule.

2. Interim President Trujillo stressed that the College take into account the community's needs as well as the college's needs when planning the addition to the library. Dr. Sena, faculty, and chairs will be an important part of the committee formed by Mr. Schutz in determining the

best uses of construction monies and best possible use of the library for students now and in the future.

3. Interim President Trujillo met with Ms. Janette Archuleta, Superintendent of the Espanola Public Schools, on November 17, 2009 to discuss potential partnership initiatives.

4. Interim President Trujillo attended the Hispanic Association of Colleges and Universities (HACU) Conference in Florida the first of November and stated these are optimistic times for Hispanic Serving Institutions (HSIs) in terms of federal funding in the future. This administration and congress recognize the importance of HSIs in terms of creating economic development and preparing the workforce for the future. Senator Bingaman's office was contacted to obtain his support in improving the level of Title V funding, which is critical to NNMC.

VIII. COMMENTS FROM THE BOARD

Regent Theresa Martinez provided an update on the Presidential Search. She stated that forty-eight applications were received for the presidential position at NNMC. The Committee did a thorough job of reading and rating the 48 applications in a two-week period. From 48 applications 21 were narrowed down for further review on Tuesday, November 17, 2009. As a result of this review, the committee decided to interview 11 semi-final candidates December 7 and 8 via audio video conference in Los Alamos. At the conclusion of these interviews, the committee will decide who the top final candidates are to be interviewed by the Board of Regents sometime in January. The committee started off with seventeen members; one dropped off due to prior commitments. She stated the sixteen remaining members are very dedicated and hardworking. She also thanked Josephine Aguilar for organizing the work for the committee.

IX. PUBLIC INPUT

None.

X. STUDENT INPUT

Mr. Jerome Williams, President of the NNMC Student Senate, Mr. Deaver Smith, Vice President of the Student Senate, and Mr. Juvet Fola, Student Senate El Rito Representative, addressed the Board of Regents with several concerns related to the student dorms at the El Rito Campus. The concerns are listed in the report presented to the Regents from the dormitory students (attached).

Regent Branch thanked the students for bringing their concerns forward. Interim President Trujillo stated he will look into the matter promptly to resolve these issues and report back to the Board.

Mr. Williams suggested that the College start a student ambassador program at NNMC to assist with orientation, recruitment and other activities of the College. A plan with financial implications involved will be developed.

XI. PERSONNEL

A. Personnel Actions

A.1 Interim President Trujillo recommended the hiring of Craig A. Castleman, Ed.D., as FT Faculty/Field Placement Director, College of Education, effective November 2, 2009.

- A.2 Interim President Trujillo recommended the hiring of Mr. Daniel Pacheco as Custodian at the Espanola Campus effective November 16, 2009.
- A.3 Interim President Trujillo recommended the hiring of Mr. Cristobal Gonzales as Custodian at the Espanola Campus effective November 16, 2009.

Regent Theresa Martinez moved to approve the new hires as presented. Motion carried unanimously.

Interim President Trujillo reported the following resignations and retirements:

- A.4 Mr. Tom Alvarez resigned at Director of Public Information/Public Relations effective October 30, 2009.
- A.5 Ms. Anna Roybal resigned as Department Secretary effective October 30, 2009.
- A.6 Mr. Alfonso Romero resigned as Custodian, Espanola Campus, effective October 31, 2009.

Regent Feliberto Martinez moved to accept the resignations and retirements as presented. Motion carried unanimously.

(Note: Regents Alfred Herrera and Theresa Martinez left the meeting early due to prior commitments.)

EXECUTIVE SESSION

Board President Michael Branch recommended that the Board go into executive session pursuant to Section 10-15-1(H)(2)(8) of the Open Meetings Act to discuss limited personnel matters, acquisition of property and water rights. **Regent Feliberto Martinez, Regent Cecille Martinez-Wechsler, and Regent Branch voted in the affirmative to adjourn into executive session at 4:25 p.m. The open meeting reconvened at 4:55 p.m.**

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

XIII. ADJOURNMENT

Regent Martinez moved to adjourn the meeting. The meeting adjourned at 4:56 p.m.

Josephine Aguilar, Recording Secretary

APPROVED: December 17, 2009

/s/ _____
Michael P. Branch, Board President

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