

**NORTHERN NEW MEXICO COLLEGE  
BOARD OF REGENTS MEETING  
OCTOBER 15, 2009**

**I. CALL TO ORDER**

A regular meeting of the Board of Regents of Northern New Mexico College was held on Thursday, October 15, 2009 in Cutting Hall on the El Rito 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 9:08 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; Alfredo Montoya, Dean of Student Services/Director of Financial Aid; Tom Alvarez, Director of Public Information; Carmella Sanchez, Director of Institutional Effectiveness; Carlos Martinez, Director of the El Rito Heritage Retreat Center; David Schutz, Director of Facilities and Capital Projects; Hilario Romero, Director of EOC and Upward Bound; Cristina Manzanares, El Rito Student Activities Coordinator; Lorraine Garcia, El Rito Business Office Tech; Cecilla Romero, Administrative Secretary-El Rito; Guido Gellis, Director of SOL/SSS; and Josephine Aguilar, Assistant to the President and Recording Secretary. Faculty present: Dr. Camilla Bustamante. Also present were several members from the El Rito Community; Anne Galer, Student; and Lou Mattei, 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 September 17, 2009 were approved.

**IV. FINANCIAL REPORT**

**A. Financial Report for the month ending September 30, 2009.**

Dr. Andres Salazar, Interim Executive VP for Finance and Administration, provided a financial summary report (attached) prior to the Board meeting. Dr. Salazar's presentation is highlighted as follows:

**1. Budget Outlook:** Dr. Salazar provided a preliminary budget status report for the month ending September 30, 2009 (attached). He reported that there are quite a few posting or adjustments still to be made to the general ledger and some revenue items in both unrestricted and restricted accounts need to be verified while expenses are still being recorded and adjusted as necessary. There was not enough time to close the quarter by the fifteenth of October. The financial staff is also preoccupied with auditor requests and validations. All institutions are on a fiscal watch and are required to submit approved quarterly financial reports to HED. After some discussion as to how the Board can approve the final quarterly fiscal watch report later in the month, which will have a more precise view for the quarter's performance, Regent Alfred Herrera suggested that the Finance Committee of the Board meet and take the responsibility of approving the report on behalf of the entire Board. **Regent Theresa Martinez moved that the Finance**

**Committee of the Board be delegated the authority to approve the final budget report ending September 30, 2009. Motion carried unanimously.**

**2. Payroll & Headcount:** The table provided in the handout reflects the headcount and gross payroll for July, August and September. This information will be important to the Regents going forward especially in light of the expected budget rescission.

**3. Capital Projects:** David Schutz provided a capital projects update report under Item V(B). Dr. Salazar reported that the Governor's Office announced 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. NNMC was the only NM college to receive two awards.

Dr. Salazar also reported that the Plaza and water line project in El Rito has commenced with the removal of several trees. Trenching and grading of the area will follow. Two individuals expressed objections to the removal of the mature trees and suggested that the College halt construction and review the plaza plans again with community members. A halt to construction at this point may risk delays in getting the contractor to come back in a timely manner which construction funds may be rescinded due to lack of progress. Regent Branch confirmed that this project has taken several years to commence; it was a public project and the community was notified.

**4. State Financial Outlook:** Dr. Salazar reported that HED continues to support its forecast of a budget rescission of 3%-5% for FY 2010. This percentage would be applied to the College's state I&G allocation of \$11,574,852 unless certain funds would be exempt from the budget cut. It is anticipated that the final budget cut affecting the College's I&G allocation will be known no later than early November. CEO's from the Council of University Presidents (CUP) and the New Mexico Independent Community College (NMICC) have stressed the importance of allowing each college the maximum flexibility in implementing the budget cutback.

**5. Valley National Bank (VNB):** VNB announced that it had entered into a voluntary agreement with its banking regulator on May 2009 to start taking action on some non-performing assets that included home mortgages and loans. They have assured the College that its asset to cash ratio is still strong. NNMC has its main operating account with VNB (average balance of \$500 thousand) and about \$1 million in certificates of deposit. The Finance Committee of the Board and Staff will meet with VNB soon to discuss services that VNB provides to NNMC. Dr. Salazar and the Finance Committee will report back to the entire Board.

**6. NNMC Foundation:** The assets of the NNMC Foundation were reviewed and confirmed for the close of the FY 2010 first quarter. Assets are 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 are still being worked on and a full balance sheet for the Foundation should be available soon. Adjustments to Banner are being made to update the asset list and to extract an accurate picture of the foundation liabilities, especially any involving the College.

**7. NPI:** Dr. Salazar stated that the Business Office has worked with Dr. Spintz Harrison, Director of NPI, to go through the reconciliation of NPI's budget, which turns out to be more than they thought. This matter is now closed to the NPI's satisfaction.

**8. Effective Resource Utilization Committee (ERUC):** The ERUC is being resurrected in anticipation of the budget rescission for FY 2010. The ERUC is composed of representatives from all major parts of the institution. Dr. Salazar will chair the ERUC. The ERUC will come up with a plan and recommendations, which will be presented to the Finance Committee of the Board. The entire Board will then make the final decision as to how the budget affects the direction and overall operation of the College. Regent Branch suggested that the College look at improving energy efficiency in order to save immediate funds.

**9. NM Educators Federal Credit Union (NMEFCU):** Interim President Trujillo and Dr. Salazar met with representatives from NMEFCU to discuss ways the NMEFCU can serve NNMC faculty, staff and students through an ATM on campus, financial literacy education, and access to free financial counseling. Regent Branch cautioned administrators that this project be handled equitably in consideration of other credit unions in the area. Dr. Salazar stated that this particular CU is non-profit.

**10. US Cable:** US Cable has forwarded an agreement for the College to provide non-commercial, educational and community related programming on Cable Channel Six. Dr. Salazar provided a copy of this agreement (attached) for the Board's review. The College is working on a Business Plan which will be presented to the Board at a future date for approval.

## **V. OLD BUSINESS**

### **A. AQIP Update Report.**

Ms. Carmella Sanchez, Director of Institutional Effectiveness, stated that the AQIP Council met for the second time this fall semester on October 13, 2009. The 69 strategic planning objectives from Fall 2008 were consolidated to a total of 23 (list attached). AQIP and PIT committees will work on their assigned objectives and between now and December measures and timelines will be developed for meeting these objectives. A prioritization exercise will take place to identify the top 7 to 10 driving objectives.

Ms. Sanchez presented an action project update review (attached). The table lists the strengths and opportunities for improvement for the three action projects reported to HLC. For the most part the action projects received good reviews from the Higher Learning Commission (HLC). Opportunities for improvement were primarily the lack of or incomplete measures. These three action projects will be retired in January. Four new action projects discussed at the last Board Retreat will be submitted to HLC: 1) Establish Ongoing Professional Development for Faculty and Staff, 2) Develop Strategies to Improve Retention, 3) Develop Strategies to Improve Recruitment, and 4) Improve Receipt, Processing and Clearing of Maintenance Reports.

At the Strategy Forum in Chicago in April, 2010 NNMC is expected to show up with gained knowledge from the Systems Appraisal—how the College implemented the recommendations the appraisal team provided in the Systems Portfolio. Different exercises will also take place to identify new action projects. The main concern in the Systems Portfolio feedback report is the lack of measures for meeting objectives; HLC wants to see that the College is analyzing data to make decisions. The second concern is that the College needs to start identifying institutions in order to compare data and report this out.

AQIP and PIT teams will be trained to use quality tools to update the Financial, Facility, Technology, and Academic Master Plans. Regent Branch stated the College needs to educate

and increase awareness among faculty, staff, and students that AQIP is the school's method of accreditation. Total acceptance and participation is needed by everyone at the College.

## **B. Capital Projects Update Report.**

Mr. David Schutz, Director of Capital Projects, presented an update on capital projects as follows:

**College of Education Building:** Groundbreaking ceremony took place on September 19, 2009. The contractor is scheduled to break ground the week of October 19.

**SERPA:** The Regents approved the hiring of the architectural firm of Dekker/Parrish/Sabatini to provide design and engineering services for the SERPA Building. A contract between the College and the Architect was executed in September and design work has commenced.

**Las Cumbres Community Center:** The College is meeting with Las Cumbres staff in an attempt to develop a plan of action to move forward with this project.

**El Rito Plaza/Water Project:** Construction contract was approved at the August meeting. Construction has commenced. A contract between the College and the El Rito Water and Wastewater Association for transfer of water rights is required prior to connecting to the community water system for domestic water. The final MOU is being presented to the Board at this meeting for approval under Agenda Item V(C).

**Espanola Bookstore Expansion:** A program is being developed to expend the remaining funds to improve efficiency of the bookstore space.

**Ben Lujan LCR Addition:** The Board approved the hiring of the architectural firm of Studio Southwest to provide design and engineering services for the addition to the library. This project is temporarily on hold pending discussions between the College and the City to provide joint library services.

**Student Housing Project:** This project is on hold until legal matters are resolved. Alternative ways to finance dorms are under discussion. The College is also consulting with other colleges and suppliers in order to build a facility that fits the College's needs.

**Nick Salazar CFA:** The contract between the College and D.L. Adams was approved by the Board to consult and design acoustic and theatre lighting renovations and upgrades.

**Greenhouse:** A greenhouse has been ordered and is onsite. A contractor has been hired to erect the greenhouse starting next week. The greenhouse is part of the environmental science program.

The College is leasing the Gerald Martinez property back to Mr. Martinez so he can continue irrigating and planting on the property.

Regent Branch publicly commended Mr. Schutz for his work in submitting proposals for stimulus grant funding and congratulated him for the two ARRA awards the College received.

## **C. Approval of MOU between NNMC and the El Rito Regional Water and Wastewater Association.**

Mr. Schutz invited Mr. Juan Garcia, President of the El Rito Regional Water & Wastewater Association (ERRWWA), and Mr. Lucas Trujillo, Vice-President of the ERRWWA, to also address the Board concerning the terms and conditions of the final version of the MOU (attached). Execution of the MOU will enable the College to join forces with the ERRWWA in terms of providing long-term, safe potable water supply for the El Rito Campus. In turn the College will assign water rights to the ERRWWA. The long term prospects for water supply to both entities is strengthened. The ERRWWA will also embark on watershed development to make sure the community of El Rito and College have water in the future. Both parties reached an agreement and consensus with the terms and conditions of the MOU. Mr. Schutz recommended approval.

**Regent Theresa Martinez moved to approve the MOU between NNMC and the El Rito Regional Water and Wastewater Association.** Under discussion Regent Herrera asked how the balance of the College's water rights, 29.06 acre feet, will be used. Mr. Schutz stated the water will be used to irrigate the campus and for fire protection purposes. The issue of return flow credits was also discussed briefly. This MOU can be revisited in the future if necessary. The ERRWWA is in the process of developing a water bank system. **Motion made and carried unanimously.**

## **VI. NEW BUSINESS**

*At this time Regent Branch modified the agenda to accommodate Mr. Hilario Romero (Item B under New Business) who has to leave early for an appointment in Cuba, NM..*

### **A. Update Report: EOC and Upward Bound.**

Mr. Hilario Romero, Director of EOC and Upward Bound, stated that EOC will be celebrating its 35<sup>th</sup> complete year serving northern New Mexico. Mr. Romero stated he will be making his presentation with regard to the EOC program in a series of sessions to the Board. A celebration will take place this fall semester or in the spring 2010 semester. The EOC final report is due on November 30, 2009 and he will have confirmed enrollment numbers to report.

Mr. Romero stated the Upward Bound program provided close to \$125,000 in revenue (dorms, meals, etc.) to the El Rito Campus along with employment for the community in the surrounding area. The Upward Bound program will finish its second year on November 30, 2009.

*At this time Regent Branch requested a brief break. The meeting recessed at 10:55 a.m. The open meeting reconvened at 11:21 a.m.*

### **B. NNMC ¡Sostenga! Business Plan.**

Dr. Camilla Bustamante, Environmental Science Assistant Professor and Chair of the Math and Science Department, presented a draft copy of the ¡Sostenga! Business Plan (attached). Established as the ¡Sostenga! Center for Sustainable Food, Agriculture, and Environmental at NNMC by the 2007 NM Legislature, the Sostenga Center serves as a catalyst for local economic development and demonstration of local and healthy food systems. The heart of the Center provides:

- A certified commercial kitchen for local entrepreneurs.
- An on-site Tiendita for retail sale of products prepared in the on-site kitchen,

- Continuing education and certification classes for food preparation and commercial kitchen use,
- A student based greenhouse for product development and environmental research,
- An in-process certified organic garlic project, and
- Other initiatives and partners as identified in the interest meeting program objectives.

Dr. Bustamante stated there are currently 21 users at the commercial kitchen. Through the EDA funded University Center, an advisory board made up of Commercial Kitchen producers was established in 2008. Dr. Bustamante stated that the advisory board is recommending a fee structure for use of the kitchen as follows:

<b>USE:</b>	<b>COST:</b>
Six month contract 35 hrs. per week	\$850.00 per month
Daily Hours 6 am to 6 pm	\$10.00 per hour
Nightly Hours 6 pm to 6 am	\$8.50 per hour
Seasonal/Holiday (Fall peak hour usage)	\$12.00 per hour
Dry storage for Food Coop*	\$400.00 per month
<b>Current Rates not proposed to change:</b>	
Dry Shelf Storage	\$10.00 per month per shelf
Freezer/Cooler	\$10.00 per month
*Pending proposal by Espanola Natural Food Coop.	

In response to Regent Feliberto Martinez’s question with regard to a partnership with NMSU’s agriculture program in Alcalde, Dr. Bustamante stated that NNMC has tried to develop partnerships with NMSU in the past but NMSU has not been receptive because of a false threat that they will loose prospective students. Regent Theresa Martinez requested a tour of the commercial kitchen at some point in the near future. Regent Branch requested from Dr. Bustamante a status report on the Hazmat program at a future Board meeting.

**Regent Feliberto Martinez moved to approve the fee structure for the commercial kitchen as presented. Motion carried unanimously.**

**C. Report: El Rito Campus Committee.**

Mr. Jake Arnold, representing the El Rito Campus Committee, reported that the committee has been working on several projects. These projects are summarized as follows:

- Language Institute at the El Rito Campus – Look at programs that utilize the resources of the El Rito Campus.
- Charter School – The Charter School Task Force of the ERCC has been working with Dr. Cathy Berryhill to look at ways that a Charter School could exist at the El Rito Campus.
- Archeology Field School – A school at El Rito utilizing two sites in the area.
- Green Jobs Program – A Veteran’s oriented program. (Mr. Arnold stated the PTSD Treatment Center for Veteran’s is not on anyone’s agenda at this time.)
- A program at El Rito following the University of Phoenix model.

Mr. Jim Dow addressed the Board concerning the proposed Green Jobs Program. He stated there is a non-profit program in Colorado called Veteran’s Green Jobs. Secretary John Garcia is on their advisory board. The ERCC has been in contact with them to see if the College can be listed on their web site as a recruitment tool. The College would need to create a format that would work with their existing programs. Initially two cohorts of Veterans (16) is proposed who would

do field work for 6-8 weeks and then academic work on campus for 6-8 weeks in the areas of forest management, watershed management, environmental science, etc. Mr. Dow stated there are currently about 30,000 NM veterans eligible for veteran benefits. The support of the College would be needed to proceed. Interim President Trujillo informed Mr. Dow that he will have someone from the College attend the next Task Force meeting.

## **VII. PRESIDENT'S REPORTS AND ANNOUNCEMENTS**

1. Interim President Trujillo stated that on Thursday, October 22, at 5:00 p.m. a meeting to address the El Rito Community regarding projects taking place at the campus will take place.
2. Assessment Day is scheduled October 21, 2009 on the Espanola Campus. The Regents were invited to attend the awards presentation session from 8:45 a.m. to 9:15 a.m.
3. Interim President Trujillo invited Mr. Alfredo Montoya, Dean of Student Services, to briefly discuss the plans for providing health services to Northern's students. Mr. Montoya stated that there is a need for personal counseling and in some instances medical assistance for students. The College met with staff from El Centro Clinic and worked out an agreement whereby they will allow referrals from Northern, this is a short term goal. The long term goal is to start looking on how to develop a student health center on campus.
4. The College is exploring the issue of joining forces with the City of Espanola in creating a joint library. Discussions are preliminary and models are being reviewed. Regent Herrera stated that if there is collaboration among public entities, the better the community at large is served.

## **VIII. COMMENTS FROM THE BOARD**

1. Regent Branch stated that now that the school is a recipient of two American Recovery and Reinvestment Act (ARRA) awards, the College should contact Kit Carson Electric Coop to continue with initial discussions to develop a solar array at the El Rito Campus. He stated the El Rito Campus could be heated part of time with electric heat and part of the time with another source of energy. Mr. Schutz stated the stimulus funds were specifically intended to go toward green more alternative technologies. The College is looking strongly at solar, biomass, conventional systems, etc.

Dr. Salazar explained that about two and one-half years ago Kit Carson volunteered to put part of their \$5M interest free loan fund to purchasing a 200-300 Kilowatt Solar Generator at the El Rito Campus. They asked the College to review an MOU whereby the College would purchase the power generated by the Solar Array and in return the College would provide them land so they could place the solar array. Any excess power generated by the solar array could be sold to the other customers in the El Rito area. They explained that El Rito is at the tail end of a feeder from Taos and they admitted in experiencing problems feeding continuous power to the El Rito area. The MOU was reviewed by the College and legal counsel and returned to Kit Carson; however, there has not been any further commitment on the part of Kit Carson. Regent Branch recommended that the College pursue this issue with the Public Regulation Commission. A united front would be beneficial to get Kit Carson moving on this project.

2. The special session of the legislature will commence on Saturday, October 17. Interim President Trujillo may have to attend some sessions at the spur of the moment and Regent Branch stated the Regents are ready to assist as needed.

3. Regent Theresa Martinez stated the Presidential Search is going well. ACCT has received approximately 25 applications. The Search Committee will review and rate applications the last week in October. All committee members are dedicated and committed and have taken this responsibility very seriously. The process will be a collaborative effort.

4. Regent Branch read aloud a letter he received from President Emeritus Sigfredo Maestas thanking the Regents for including him on the program for the Centennial Celebration on September 18 and 19. He expects to be finished with his book in the near future.

## **IX. PUBLIC INPUT**

Ms. Anne Galer, student in the Adobe Construction Program, expressed objections to the removal of the mature trees and suggested that the College halt construction and review the landscape plans for the plaza again with community members. Ms. Galer, a master gardener, reviewed the landscape plan in place with the Regents and offered some alternatives that would be more suited to this Region. Mr. Schutz stated that NNMC approved the landscape plans from architectural firm Souder, Miller and Associates two years ago. Unfortunately, the project resulted in the removal of some trees in the center of the campus to make way for walkways and other landscaping, as well as a water system project that is taking place at the same time. A halt to construction at this point may risk delays in getting the contractor to come back in a timely manner while construction funds may be rescinded due to lack of progress.

Interim President Trujillo explained that the College has gone through three different capital directors since 2008 and temporarily lost sight of the project. Regent Branch stated that the plan was not brought back to the Board for final approval. Interim President Trujillo, the Regents, and Mr. Schutz assured Ms. Galer and the El Rito Community that the College will revisit and develop a landscape program that is low-maintenance, one that is low water use, and one the College and the community can be proud of.

## **X. STUDENT INPUT**

None.

## **XI. PERSONNEL MATTERS**

### **A. Personnel Actions**

A.1 Interim President Trujillo recommended the hiring of Ms. Camille Ulibarri as Developmental Studies Technician effective October 1, 2009.

A.2 Interim President Trujillo recommended the hiring of Ms. Kate Garduno as Assistant Librarian effective October 19, 2009.

**Regent Cecille Martinez-Wechsler moved to approve the new hires as presented. Motion carried unanimously.**

Interim President Trujillo announced the following resignations:

A.3 Clarissa Duran, STEM Program Coordinator, was terminated due to lack of funding effective September 30, 2009.

A.4 Janelle Gomez, Switchboard Operator/Espanola Campus, resigned effective October 6, 2009.

**Regent Cecille Martinez-Wechsler moved to approve the resignations as presented. Motion carried unanimously.**

Dr. Andres Salazar requested an executive session to discuss an issue from a potential retiree who would like the Board to waive a policy that is in place. Regent Alfred Herrera stated that this issue should be in open session and Regent Branch agreed. Interim President Trujillo stated this issue could be dealt with in open session without using names because it is a policy issue.

Dr. Salazar stated the College has an approved policy whereby full-time employees accrue 8 hours of annual leave per pay period or 192 hours per year (24) days. All regular employees will be permitted to carry over accrued annual leave from one fiscal year to the next not to exceed a total accumulation of 192 hours or 24 days. Leave in excess of 192 hours or 24 days will be lost if not taken before September 30 of each year. There are a number of employees who accumulate more than 192 hours and have trouble taking annual leave or vacation between July through September. This year Interim President Trujillo allowed some of these employees to take one more month to try to work off excess leave. Upon discharge or other termination of employment, staff members are paid for unused annual leave based on the employee's contracted hourly pay rate to a maximum of 192 hours or 24 days.

Two issues have recently come up: 1) There is an employee who is going from a staff position to a faculty position. Under a faculty assignment there is no accumulation of annual leave. The question raised is what happens to the annual leave that the employee has accumulated. There is nothing in the policy that states that the College has to purchase the leave. In this particular instance, Dr. Salazar created another account so he can place that liability of the College of those excess leave days the employee has that has not been assigned into the faculty position. 2) A staff person who is contemplating terminating his/her position the end of October has requested that the College pay more than 192 hours of accumulated leave. If this person has 192 hours, the College can pay the employee that annual leave under the current policy. Interim President Trujillo stated the College wants to abide by the policy as it is now written. If the College is to pay an employee more than 192 hours when they left the institution or pay them for their 192 hours when they move from one employment status to another within the institution, the College would essentially be asking for a waiver of the policy. He suggested that the Board consider capping the accumulation of annual leave at 192 hours.

**Regent Cecille Martinez moved to table this issue.** She stated this issue needs to be reviewed carefully. Regent Branch stated one of the situations is imminent and needs to be decided on fairly soon. He therefore suggested that the College has an obligation to pay for 192 hours and a timeline so these hours can be paid on a timely basis. The motion to table would allow additional time to study the other issues brought forward. If the Regents amend this policy, it will set precedence for a whole series of people. Regent Theresa Martinez stated there are other entities that go strictly by a similar guideline. **Motion to table was carried unanimously.**

## **XII. ADJOURNMENT**

**Regent Cecille Martinez moved to adjourn the meeting. The meeting adjourned at 1:29 p.m.**

Josephine Aguilar, Recording Secretary

APPROVED: November 19, 2009

/s/

\_\_\_\_\_  
Michael P. Branch, Chair

/s/

\_\_\_\_\_  
Cecille Martinez-Wechsler, Secretary/Treasurer