

**NORTHERN NEW MEXICO COLLEGE
BOARD OF REGENTS MEETING
SEPTEMBER 17, 2009**

I. CALL TO ORDER

A regular meeting of the Board of Regents of Northern New Mexico College was held on Thursday, September 17, 2009 in the Boardroom of the Montoya Administration Building on the Espanola Campus. Regents present: Michael P. Branch, Cecille Martinez-Wechsler, Feliberto Martinez, and Theresa Martinez. Regent Alfred Herrera was excused from attending the meeting. Board President Michael Branch called the meeting to order at 9:10 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; Carlos Martinez, Director of the El Rito Heritage Retreat Center; Tom Alvarez, Public Information Director; David Schutz, Director of Capital Projects; Carmella Sanchez, Director of Institutional Effectiveness; Bernadette Chavira-Merriman, Director of Developmental Studies; Dr. Dan McLaughlin, Director of Assessment; Guido Gellis, Director of SOL/SSS; Dr. Spintz Harrison, Director of NPI; and Josephine Aguilar, Assistant to the President and Recording Secretary. Faculty present: Theresa Lopez, Ellen Trabka, and Tim Crone. Others present: Dr. Sue Ellen Jacobs, Dr. Tessie Naranjo, Michael Miller, Executive Director of the Eight Northern Indian Pueblos Council, and Lou Mattei, Reporter from the Rio Grande Sun.

Board President Michael Branch stated the Board meeting is being held at the Espanola Campus because the Regents would have to travel again to the El Rito Campus for the centennial celebration planned at the El Rito Campus on Friday, September 18, 2009. The centennial celebration will continue on Saturday at the Espanola Campus followed by the 14th Annual Foundation Scholarship Dinner on Sunday at the Ohkay Owingeh Conference Center.

A. Introduction of new employees.

The following new employees were introduced to the Board of Regents:

- Dr. Dongyun Lin, Faculty-Business Administration
- Dr. Jorge Crichigno, Faculty-Computer Engineering
- Connie Romero, Accountant
- Susan Pacheco, Director of Finance
- Kimberly Othole, Director of American Indian Affairs
- Jorge Lucero, Director of MIS Operations
- David Schutz, Director of Capital Projects

II. APPROVAL OF AGENDA

The final agenda was approved as presented.

III. APPROVAL OF MINUTES

Board President Branch clarified that Regent Feliberto Martinez called in and was excused from attending the August 20, 2009 meeting. The meeting minutes state that Regent Martinez was absent. **The minutes for the regular meeting of August 20, 2009 were approved as amended.**

IV. FINANCIAL REPORT

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

Dr. Andres Salazar, Interim Executive VP for Finance and Administration, reported that the College is now in its second month of the 2009-2010 fiscal year. He stated the College collected \$1,210,485 in tuition and fees, which is 45.5% of the original budget. Summer revenue is not being recognized in this report. Mr. Alfredo Montoya reported that a committee is researching the impact of charging a student fee of \$50.00 for students taking 1 to 6 credit hours. Other alternatives are being considered and a recommendation will be presented to the Regents. Dr. Salazar reported that the College lost approximately 200 students who take one or two classes per semester. Fortunately there are more full time students taking more classes which increased the FTE by approximately 20%. The College also earned more revenue in Sales and Services in the amount of \$708,285. The anticipated revenue in the original budget was \$13,000. This tremendous increase is due to more students taking courses and higher sales in the Bookstore.

B. Report of Actuals for FY 2008-09.

Dr. Salazar stated that the estimated unrestricted revenue anticipated for FY 2008-09 was \$14,287,843. This amount was reported to the Higher Education Department (HED). Data and new unaudited numbers reflect that the College closed out the year at \$14,643,677. The College experienced more revenue than anticipated from January through March. Dr. Salazar pointed out that the College estimated capital outlay revenue in the amount of \$4,986,071; however, \$2,945,224 was actually collected. This reflects the fact that the College is not as far advanced as anticipated in some of the construction of buildings. Dr. Salazar reported that David Schutz has done a remarkable job in getting the College back on track, which will result in more drawn downs from the state as progress continues.

Dr. Salazar stated that the College estimated an ending balance at the end of fiscal year 2008-09 at \$595,049 in Instruction and General. The College is actually ending the year at \$1,414,836 (unaudited estimate), which is about \$819,787 more than anticipated. The ending balance of \$1,414,836 is the beginning balance for fiscal year 2009-2010. The ending balance will be a big help because the College is entering a difficult fiscal year and is anticipating a budget cut from the state for I & G from anywhere between \$500,000 to \$700,000 depending on what the legislature decides to do in October. In addition, it is anticipated that there will be another cut in the 2010-2011 budget.

Dr. Salazar reported that the auditors will be on the Espanola Campus for two to three weeks commencing on September 28 working on the 2008-09 audit. More accurate figures will be obtained when the audit is complete.

Interim President Trujillo stated that the Council of University Presidents (CUP), the New Mexico Independent Community Colleges (NMICC), and various legislators have indicated that the College should anticipate a 4% cut in the I & G budget at mid-year. He stated that the legislature will not entertain any requests for new funding and none of Northern's Research and Public Service Projects will be funded this year. The CUP and NMICC are requesting from the state to allow universities and colleges the flexibility to determine where they can move and transfer funds to deal with the budget cut. The College will prepare for the budget cuts through the Effective Resource Utilization process. The Finance Committee of the Board will also meet to develop a philosophy and look at all areas of the budget, in particular the BR&R budget which was reduced considerably last year.

Dr. Salazar reported that Facilities staff is being trained to conduct internal AC equipment repairs so the College does not have to outsource for these types of repairs. He also reported that the Facilities Department is shorthanded and overtime pay is anticipated due to the 100th year anniversary celebration, home games, etc.

On September 11, 2009 representatives from all academic and non-academic departments were trained on how budgets are formulated and how it affects individual departments. Individuals who participated in this training have a better assessment of their budgets and how they can better utilize their resources to go through another difficult year.

V. OLD BUSINESS

A. Request Approval for Architectural Contract-SERPA Project.

Mr. David Schutz stated that the College has negotiated a contract with Dekker, Perrich, Sabantini (DPS) for architectural and engineering services of the SERPA Building. The total fee proposal is as follows:

Basic Services Fees:	\$202,400.00
Additional Services Fee:	<u>\$ 46,900.00</u>
Total Fees:	\$249,300.00

The Basic Services Fee rate (98.8%) is based on a Maximum Allowable Construction Cost of \$2,300,000.00 and is in accordance with the State of New Mexico Architect Rate Schedule for projects of this type. The Additional Services Fee is based on standard fee rates for professional services of this kind. This fee is inclusive of all engineering costs (structural, civil, electrical, and mechanical engineering services).

Regent Feliberto Martinez moved to approve the negotiated contract with Dekker, Perrich, Sabantini (DPS) as presented. Motion carried unanimously.

B. Request Approval for Architectural Contract-Library Addition.

Mr. David Schutz stated that the College also negotiated a contract with Studio Southwest for architectural and engineering services for the library addition. Mr. Schutz reported the total fee proposal as follows:

Basic Services Fee:	\$277,500.00
Additional Services Fee:	<u>\$ 37,000.00</u>
Total Fees:	\$314,500.00

The Basic Services Fee rate (7.4%) is based on a Maximum Allowable Construction Cost of \$3,750,000.00 and is in accordance with the State of New Mexico Architect Rate Schedule for projects of this type. The Additional Services Fee is based on standard fee rates for professional services of this kind. This fee is related to LEED services that the architect has to provide. Mr. Schutz stated that the LEED program requires that the architect have a LEED consultant and it also requires that the College hire its own LEED consultant in order to get LEED certifications.

Dr. Andres Salazar and Dr. Anthony Sena reported that the College will establish a committee to look at the College's space utilization of classroom and laboratory space.

Regent Theresa Martinez moved to approve the negotiated contract with Studio Southwest as presented. Motion carried unanimously.

C. Approval of Selection of Consultant for Nick L. Salazar Center for the Arts.

Mr. Schutz stated that the College received two proposals from qualified firms to consult and design the upgrades to the acoustic and lighting systems at the CFA Theater. After interviewing both firms, the Selection Committee recommended D.L. Adams Associates, Inc., of Denver, Colorado. Mr. Schutz provided portfolio documents for the firm of D.L. Adams in the board packet for the Board's review prior to the meeting. The proposal went out as a Request for Qualifications (RFQ), which is not fee based. The contract will be negotiated between the College and the firm. For these kinds of services, Mr. Schutz stated the fee ranges in the 10% range. The College has \$339,000.00 budgeted for this project.

Regent Theresa Martinez moved to approve the firm of D.L. Adams Associates, Inc., to design the upgrades to the acoustic and lighting system at the CFA Theater, seconded by Regent Feliberto Martinez. Motion carried unanimously.

D. Capital Projects Update Report.

Mr. Schutz provided a Capital Projects Status Report (attached). Expenditures reflected are as of August 31, 2009. The projects Mr. Schutz highlighted are as follows:

College of Education Building – Execution of the contract between the College and AIC Construction is scheduled on Saturday, September 19, during the groundbreaking ceremony.

SERPA Building – The Regents approved the firm of Dekker, Parrish, Sabatini to provide design and engineering services for the SERPA Building.

Las Cumbres Community Center – Las Cumbres is supposed to proceed with the design phase with the College's assistance. The College is fiscal agent for this project. Regent Branch suggested that Mr. Schultz verify the reversion date, which he believes is in 2010. The MOA states that the College and Las Cumbres will work collaboratively with the purchase, plan, design and development of land and site for the new Las Cumbres facility, as well as the statewide Early Childhood Mental Health Training Institute.

El Rito Plaza and Water System Improvements – The groundbreaking is imminent. Activities are being monitored in terms of getting the water system improvements accomplished first and the landscaping program to follow.

Espanola Bookstore Expansion – Continued improvements to the bookstore are in progress.

Espanola Infrastructure – Remaining fund balance will be used for renovations and repairs.

Adobe Building Renovation – The project lacks momentum because of the lack of funding to move forward.

E. Report: Water Rights/Gerald Martinez Tract.

Mr. David Schutz stated that the College purchased the Martinez property in October, 2008. Water rights were specifically excluded from the land purchase as noted in paragraph 10 of the Purchase

Agreement. Paragraph 10 contains a provision which allows the College to purchase up to 10 acre-feet of consumptive water rights for \$10,000.00 per acre foot. If the College were to exercise its right to purchase these water rights, the cost would be \$10,000.00 per acre foot, unless a reduced price could be negotiated.

Mr. Schutz stated that the College has up to five years to exercise its right to purchase these water rights up to 10 acre feet. Further, there is an option to purchase an additional 23 acre feet at a reduced rate (\$7,000 an acre). The recommendation of the Attorney is that if the College wanted to buy the water rights that the College could go to the option rights and buy them at \$7,000 an acre foot without having to buy the \$10,000.00 acre foot rights. Dr. Salazar stated a discrepancy exists in that the College had a separate appraisal made of the water rights value, which is about \$5,000 per acre foot for the property in question. Regent Branch stated a master plan is needed to assess what water rights the College has in relation to new structures being built and water usage demand. From this the College can make a determination concerning the purchase of water rights in the future.

F. Report: Water Rights, El Rito Campus.

The College is in the process of connecting to the El Rito Regional Water and Wastewater Association (ERRWWA) System for a long term reliable and safe water supply for the El Rito Campus. Mr. Schutz met with Mr. Juan Garcia, President of the ERRWWA, to discuss the proposed Memorandum of Understanding (attached) prepared by Mr. Ted Trujillo, the College's legal counsel. Both parties are in general agreement with the terms and conditions in the MOU. Mr. Schutz requested that a minor modification be made to the MOU regarding "termination" language. Mr. Schutz is working with Mr. Trujillo to clarify this language in the MOU, which will better protect both parties in this regard. The final version of the MOU will be presented to the Board at the October meeting.

Mr. Schutz stated that the College will make a limited transfer and assignment of 36.5 acre feet of water rights to the Association in order to connect to the ERRWWA's regional water system so they can utilize those water rights to serve the El Rito Campus. After ten years any excess water (there will be a master meter on the College's system) that is not being served by the system will come back to the College. Once the College is a member of the ERRWWA, both parties will join forces in periods of drought, etc.

(At this time the Board recessed for a brief break at 10:37 a.m. The open meeting reconvened at 10:56 a.m.)

G. AQIP Update Report.

Ms. Carmella Sanchez, Director of Institutional Effectiveness, and Dr. Dan McLaughlin, Director of Assessment, provided an AQIP and Accreditation Update (copy of PowerPoint presentation is attached). The AQIP Council did not meet during the summer months. Ms. Sanchez reported that the AQIP Council meeting reconvened on Tuesday, September 16, 2009 at which time the charter and membership were revisited. The Council also discussed the strategic plan. Four members have been assigned to carefully review the strategic plan and recommend benchmarks, assignments, etc. The seven "Strategic Initiatives" will be presented at the next council meeting. New PIT teams will be recommended, approved and reassigned. The Council also reviewed two survey results (staff and faculty survey and ACT student satisfaction survey).

Dr. McLaughlin stated that an AQIP Focus Visit is scheduled Sunday, October 25, 2009 through Tuesday, October 27, 2009. HLC will verify data and support documents for the Bachelors degree in Music (Jazz Studies) and the request for approval of a new bachelor's degree in Integrated Studies in

the Humanities and Social Sciences. A task force has been formed to prepare for this visit. A report will be submitted on September 28 to consultant evaluators who will be visiting our campus. (*Note: The Focus Visit for the Music BA program will take place in 2011-2012.*)

Ms. Sanchez stated that the College is required to submit reportable action project updates to HLC every September. Updates on the following three action projects were submitted on September 11, 2009:

- Develop Strategies for Recruitment, Retention and Placement – Assigned to Recruitment PIT
- Improve the Facility Departments receipt, processing and clearing of maintenance reports received from customers – Assigned to Facilities and IT PITs.
- Design, adopt and implement a new method for faculty performance evaluation – Assigned to HR PIT.

Ms. Sanchez reported that the percent completion of strategic planning objectives remains the same as presented last month to the Board. Regent Branch suggested that the College somehow widely publicize what AQIP is so the students, the community, and others know the reason why Northern is an AQIP school.

H. Approval (final reading) of Conflict of Interest Policy.

Interim President Trujillo stated that the Conflict of Interest Policy needs more analysis and thought and recommended that this action be tabled.

Regent Cecille Martinez moved to table the approval of this policy. Motion carried unanimously.

VI. NEW BUSINESS

A. Report: “Future of Northern Pueblos Institute and Pueblo Indian Studies.”

Dr. Spintz Harrison, Director of the Northern Pueblos Institute, stated that Governor Mark Mitchell, Pueblo of Tesuque, could not be present at the meeting. The Executive Director of the Eight Northern Indian Pueblos Council, Mr. Michael Miller, was present at the meeting. Dr. Harrison invited Dr. Sue Ellen Jacobs and Dr. Tessie Naranjo, former Co-Directors of NPI, to address the issues affecting NPI and operation of Pueblo Indian Studies. The concerns addressed by Dr. Jacobs had to do with NPI's budget history from 2003 to 2009 (rollover/beginning balances from year to year), and overall inconsistencies in the budget summaries and requests for NPI.

Dr. Andres Salazar explained that their budget concerns are not uncommon. Budget reports had not been provided to department directors in the past and as a result there is misapprehension and perhaps suspicion that funds were not properly allocated. As mentioned earlier a representative from each department (academic and non-academic) attended a Banner training session so they know month by month exactly what expenses have been posted to their budgets. The Business Office will work with NPI to straighten out the budget history to come up with a clear understanding as to how and why funds were expended or allocated.

Regent Branch explained that NPI is a Research and Public Service Project (RPSP). RPSPs are not permanent projects and are allocated by the legislature. Throughout the years many RPSPs have remained special projects year after year and have been cut as much as 20% per project per year. The President and the Regents have tried to keep these projects alive and will continue to do so.

Mr. Michael Miller, Executive Director of ENIPC, spoke on behalf of the Board of Governors from eight tribes regarding their concern about the future of NPI. They would like to get an accurate account of the funds, which have been directly allocated by the legislature to NPI.

B. Report: Nursing Program.

Ms. Theresa Lopez, Director of the Associate Degree Nursing Program, stated that the Nursing Program is now separated into two departments: 1) Associate Degree of Nursing Program and 2) Bachelor of Nursing Program. Ms. Lopez presented a pamphlet with information (attached) related to the philosophy of the department, program purpose, program outcomes, revised curriculum, enrollment, and pass rates. In a PowerPoint Presentation (also attached) Ms. Lopez addressed the accomplishments and the issues and problems experienced this academic year. The Board of Nursing mandates that the program have an 80% success rate yearly. If the program falls below this level, the program comes under the scrutiny of the Board of Nursing and potential for closure. In order to improve the success rate, the program has tightened up entry requirements because the success rate last year was low (52%). Measures have been taken to address the low NCLEX-RN first time writers pass rate. One is to hire a retention specialist to identify and work with “at risk” students. Several courses will be offered to help students prepare for the entrance exam.

The program will submit its candidacy packet on December 4, 2009 to the National League for Nursing Accrediting Commission (NLNAC). Once the program is given candidacy status, within a year to two years later NLNAC will make a site visit. In preparation for the site visit, anticipated concerns include sufficient clerical support, release time for faculty to prepare, and financial support from the College. This includes a commitment for ongoing financial support for faculty and staff positions that have been created using funding from the *Nursing Enhancement Grant*. Graduating from an accredited nursing program has a huge impact on future careers for nursing student.

Ms. Ellen Trabka, Chair of Health Occupations, reported briefly on the RN to BSN program. The student has to be an RN to enroll in this program and take the 300 to 400 level courses. The program has a qualified nursing director who has a Ph.D. in Nursing. The biggest problem at this point is enrollment; six students are enrolled this semester. The program offers courses at St. Vincent’s Hospital, block scheduling, and weekend and evening courses. The program will look at offering half of the courses on-line to make it easier for nurses in rural areas to enroll in the program. Staff will start working on a self-study report to apply for the Commission on Collegiate Nursing Education (CCNE), a national accreditation agency.

VII. PRESIDENT’S REPORTS AND ANNOUNCEMENTS

1. Interim President Trujillo stated that the NMICC and the CUP are very concerned with the dire situation of the state’s budget. Budget issues will be discussed at a CUP meeting scheduled at the State Capital on September 29 and NMICC has scheduled a retreat on September 30 in Albuquerque.
2. The Governor’s Higher Education Summit is scheduled October 1 and 2 in Albuquerque.
3. On October 21, 2009 the NM Council of Graduate Deans will meet on the Espanola Campus for a detailed review of the four graduate degree programs approved by the Board of Regents on July 27, 2009.
4. The College will be hosting the Legislative Water and Natural Resources Committee on October 26-28, 2009 on the Espanola Campus. Seventeen legislators are on this committee

5. Interim President Trujillo and Dr. Camilla Bustamante will be attending the Hispanic Association of Colleges and Universities (HACU) Conference November 1-3, 2009 in Florida. Mr. Trujillo and Dr. Bustamante were among a select few invited to serve on a panel(s). Travel expenses are being paid by HACU.

6. The College continues to work with the El Rito Community Committee, particularly on the Charter School idea. Dr. Berryhill will attend a meeting of the ERCC this evening in El Rito.

7. Dr. Andres Salazar announced that the College will have the capability of broadcasting a wide range of programming beneficial to the community through U.S. Cable on Channel Six. U.S. Cable has installed equipment and a fiber optic line into the Montoya Administration Building which has been tested and is ready for broadcasting various events, activities, etc. An agreement between U.S. Cable and the College to operate Channel Six will be presented to the Board of Regents for review and consideration at the October meeting of the Board. A Financial and Business Plan are also being developed.

VIII. COMMENTS FROM THE BOARD

1. Regent Theresa Martinez requested an update on the issue of gym usage by students and the community. Interim President Trujillo stated this topic had been discussed in the Leadership Team meetings and with Coach Mitchell. Because of the way the gym is built, acoustics and the noise level are distractions during practices. The athletic program needs the hours from 3:00 p.m. to 8:00 p.m. for practices. Regent Branch suggested that the College look at ways to increase participation at the home games.

2. Regent Branch expressed a concern that newspaper reporters state that they report what is said not the truth; what is said sometimes is perception and not the truth. Certain individuals have taken the opportunity to express their own personal beliefs about what is going on at the College to the newspaper. He encourages these individuals to bring their dissatisfactions to administration, through the channels, for discussion. He stated that this institution cannot grow and do things as a College unless there is participation and support from faculty and staff working with administration.

3. Regent Branch encouraged the Regents and the entire college community to attend the activities planned during the College's 100th Year Anniversary Celebration at the El Rito Campus on Friday, September 18, 2009 and at the Espanola Campus on Saturday, September 19, 2009.

IX. PUBLIC INPUT

None.

X. STUDENT INPUT

None.

XI. PERSONNEL MATTERS

EXECUTIVE SESSION

Board President Michael Branch recommended that the Board go 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, and Regent**

Branch voted in the affirmative to adjourn into executive session at 12:40 p.m. The open meeting reconvened at 1:36 p.m.

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

A. Personnel Actions

- A.1 Interim President Trujillo recommended the hiring of Ms. Kim Othole as Director of American Indian Affairs, effective August 17, 2009.
- A.2 Interim President Trujillo recommended the hiring of Ms. Jan Mattison as Sostenga Commercial Kitchen Manager effective August 17, 2009.
- A.3 Interim President Trujillo recommended the hiring of Mr. Kenneth Moya as FT Automotive Tech Instructor effective August 17, 2009.
- A.4 Interim President Trujillo recommended the hiring of Ms. Susan Pacheco as Director of Finance effective September 8, 2009.
- A.5 Interim President Trujillo recommended the hiring of Ms. Connie Romero as Accountant effective September 14, 2009.
- A.6 Interim President Trujillo recommended the hiring of Mr. Jorge Lucero as Director of MIS Operations effective September 8, 2009.
- A.7 Interim President Trujillo recommended the hiring of Dongyun Lin, Ph.D., as Instructor in Business Administration effective August 10, 2009.
- A.8 Interim President Trujillo recommended the hiring of David Schutz as Director of Capital Projects effective September 1, 2009.
- A.9 Interim President Trujillo recommended the hiring of Jeannie Roybal as Bookstore Manager effective September 1, 2009.
- A.10 Interim President Trujillo recommended the hiring of David Johnson, Ph.D., as TEMP Biology Instructor effective August 17, 2009.
- A.11 Interim President Trujillo recommended the hiring of Ann Achuythan, Ph.D., as TEMP Biology Instructor effective August 17, 2009.

Regent Theresa Martinez moved to approve the new hires as presented, seconded by Regent Feliberto Martinez. Motion carried unanimously.

Interim President Trujillo reported that the following personnel resigned and/or retired:

- A.12 Mr. Steven Martinez resigned as Educational Advisor for the Upward Bound Program effective August 21, 2009.
- A.13 Mr. Gilberto V. Siqueiros retired as Carpenter effective September 1, 2009.

A.14 Ms. Shannon Tafoya resigned from her half-time position with Integrative Health Studies effective December 31, 2009. She will continue her half-time position with Health Occupations.

Regent Cecille Martinez-Wechsler moved to accept the resignations and retirements as presented. Motion carried unanimously.

Interim President Trujillo announced that Dr. Dan McLaughlin just received word from Steven Spangehl, AQIP Director with the Higher Learning Commission, that the focus visit for the Music BA Program will take place in 2011-2012.

XII. ADJOURNMENT

Regent Martinez moved to adjourn the meeting. The meeting adjourned at 1:40 p.m.

Josephine Aguilar, Recording Secretary

APPROVED: October 15, 2009

/s/

Michael P. Branch, Chair

/s/

Cecille Martinez-Wechsler, Secretary-Treasurer