

New Mexico Highlands University
Board of Regents Meeting
Margaret J. Kennedy Alumni Hall
Las Vegas, New Mexico
September 14, 2007 at 10:00 am

1. Call to Order – Chairman Javier M. Gonzales
2. Roll Call
3. Approval of Agenda for September 14, 2007
4. Approval of Minutes from July 13, 2007
5. Consent Calendar – Action Items
 - a) College Board/AP Exams – State Portion of AP Exams – \$76,125
 - b) College Board/AP Exams – Federal Portion of AP Exams – \$90,597
 - c) Sangre de Cristo Community Mental Health Partnership-Alcohol Prevention and Brief Intervention (Continuation of Grant) – \$350,000
 - d) Sungard SCT – Annual Maintenance for Banner – \$161,649.60
 - e) Out-to-bid – Gregg/Arrott House Heating System – Installation and Purchase of Gas Heaters – \$360,000
 - f) Trane – Connor Hall Installation of 2 Boilers – \$117,626.82
 - g) Trane – Donnelly Library Installation of 3 Boilers – \$205,947.05
 - h) Gateway (Annual Computer Replacement) – \$120,000
6. Upper Rio Gallinas Council of Governments JPA – Morris Madrid
7. Academic Affairs Committee – Regent Rosanna Vázquez
8. Budget & Finance Committee – Regent Robert Benavides
 - a) Approval of Contracts Policy – Action Item
 - b) Authorize Design of and/or the Acquisition of a President's House – Action Item
9. Buildings & Grounds Committee – Regent Walter Adams
10. Student Affairs Committee - Regent Sherry Salas
 - a) NMHU Association of Graduate Students Constitution – Action Item
11. Student Senate Report – Mr. Michael Sallee
12. Faculty Senate Report – Dr. Maureen Romine

13. Persons Wishing to Address the Board

14. President's Report –Dr. James Fries, President

- a) Approval of Capital Projects – Action Items
 - i. Residence Hall
 - ii. Student Center
 - iii. Expansion/Remodel of Felix Martinez Building
- b) Raton Learning Center Update
- c) Mutual Aid Agreement with Las Vegas Police Department
- d) Other

15. Executive Session – (1) Limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employee; (2) bargaining strategy preliminary to collective bargaining; (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant; and (4) real estate acquisition or disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H)(2)(5)(7)&(8)

16. Comments by Regents

17. Adjournment

**New Mexico Highlands University
Board of Regents Meeting
September 14, 2007**

The New Mexico Highlands University Board of Regents met in regular session on Friday, September 14, 2007 at the Margaret J. Kennedy Alumni Hall, New Mexico Highlands University, Las Vegas, New Mexico. Chairman Gonzales called the meeting to order at 10:00 am

Attendance

Board Members Present: Mr. Javier M. Gonzales, Mr. Walter Adams, Ms. Sherry Salas, and Ms. Rosanna Vázquez

Administrative Personnel Present: Dr. James Fries, President; Dr. Gilbert Rivera, Interim Vice President for Academic Affairs; and Ms. Rachel King, Legal Counsel

Others Present: Dr. Maureen Romine, Faculty Senate Chair ; Mr. Michael Sallee, Student Senate President; Ms. Carolina López, Board of Regents Administrative Assistant and numerous other individuals in the audience, including faculty, staff, students, community representatives, and media. The Board meeting was broadcast live via instructional television video to the NMHU Farmington, Santa Fe, and Rio Rancho Centers, and over the KEDP NMHU Radio Station

Approval of Agenda for Meeting of September 14, 2007

Regent Adams moved to approve the September 14, 2007 agenda. Regent Salas seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Approval of Minutes from July 13, 2007

Regent Adams moved to approve the July 13, 2007 minutes. Regent Vázquez seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Consent Calendar – Action Items

- a. College Board/AP Exams – State portion of AP Exams – \$76,125 (attachment a)
- b. College Board/AP Exams – Federal portion of AP Exams – \$90,597 (attachment b)
- c. Sangre de Cristo Community Mental Health Partnership-Alcohol Prevention and Brief Intervention (Continuation of Grant) – \$350,000 (attachment c)
- d. Sungard SCT – annual maintenance for Banner – \$161,649.60 (attachment d)
- e. Out-to-bid – Gregg/Arrott House Heating System – installation and purchase of gas heaters – \$360,000 (attachment e)
- f. Trane – Connor Hall installation of 2 boilers – \$117,626.82 (attachment f)
- g. Trane – Donnelly Library installation of 3 boilers – \$205,947.05 (attachment g)
- h. Gateway (Annual Computer Replacement) – \$120,000 (attachment h)

Regent Adams moved to approve the Consent Calendar items a-h as presented. Regent Vázquez seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Upper Rio Gallinas Council of Government JPA – Mr. John Avila

Mr. Avila, Las Vegas City Manager presented the Joint Powers Agreement (JPA) for the Water Protection and Availability and Acquisition of Water Rights (attachment i). Chairman Gonzales asked why the City of Las Vegas was including educational agencies as part of their water conservation efforts. Mr. Avila stated that as elected officials they could approach the Legislature with funding requests. Regent Vázquez asked if all entities listed on the JPA use city water. Mr. Avila responded yes. Regent Vázquez asked if the JPA was contemplating expansion of the system to serve the county. Mr. Avila informed the Board that an expansion of the system is a project that the JPA could undertake. Regent Vázquez asked whether water rights are purchased with assistance from Highlands, could Highlands reserve the use of that water for the university. Mr. Avila commented that Highlands could possibly reserve the water for the university's use. Mr. Avila informed the Board there is virtually no opportunity for growth of the water system as it stands. Regent Vázquez asked if the JPA would go before the Legislature on behalf of all the entities listed on the JPA. Mr. Avila stated that the unified effort behind any water issues would be jointly addressed in the JPA. Regent Vázquez asked if the County had voted in favor of the JPA. Mr. Avila reported that the County Commission and the City Council both voted unanimously in favor of the resolution, but that the JPA had not been voted on and signed by anyone yet. Chairman Gonzales asked if the Rio Gallinas Council of Governments Board of Directors had already been determined. Mr. Avila reported that the number of voting members on the council had already been discussed and determined in the JPA. Regent Vázquez asked if substantive changes could still be made to the JPA. Mr. Avila answered yes. Regent Vázquez commented that she felt the JPA aimed to do the right thing, but that it was a broad document and did not state clearly how Highlands' interests would be protected. Regent Vázquez stated that she would be willing to meet with County Commissioners and City Councilors to clarify Highlands' role in the Rio Gallinas Council. Chairman Gonzales stated that Highlands has an interest in the City's success in developing a plan that ensures the long-term liability of water resources in this region. Chairman Gonzales asked that Mr. Avila continue to work with President Fries to determine what Highlands' role would be. Chairman Gonzales stated that he was grateful that the City reached out to Highlands and that he wanted to make sure that Highlands could add value to the City's efforts. Regent Adams suggested that Highlands should have a representative on the community's Water Board Committee. Mr. Avila thanked the Board for listening to the JPA proposal. Chairman Gonzales asked Regent Vázquez to meet with members of the City and County regarding the JPA and asked that the JPA go before the Buildings & Grounds Committee before it is brought before the full Board as an action item.

Academic Affairs Committee – Regent Rosanna Vázquez

Regent Vázquez stated that Vice President Rivera provided a written report (attachment j). Regent Vázquez informed the Board that our North Central liaison will be on campus September 27-28, 2007 and that the School of Business has an accreditation visit from ABCSP scheduled for October 14-17, 2007. Regent Vázquez invited the Regents to attend the meetings. Chairman Gonzales asked Regent Vázquez to develop a student retention plan through the Academic

Affairs Committee that addresses the needs of student attending Highlands under the HOPE Scholarship. Chairman Gonzales stated that a student retention plan should include benchmarks in order to record plan effectiveness. Regent Vázquez informed the Board that retention has been an ongoing issue and that President Fries has suggested pulling all of the established programs together to develop one single program so that Highlands could monitor students more closely. Regent Vázquez cited concerns with the First Year Experience Program asking if it meets the needs of all first year students, not only recent high school graduates. Vice President Rivera stated that there is an effort to pull all programs together to examine student needs and to determine which students are not returning and why. Dr. Romine informed the Board that the faculty is working on improving retention, recruitment, and student advisement program by implementing more student satisfaction surveys. Dr. Romine reported that the survey indicated that a lot of students leave Highlands due to financial hardship and other reasons other than the academic programs. Regent Vázquez asked if a retention program presentation should be made at the next Board meeting. Chairman Gonzales indicated that a presentation on the First Year Experience Program should take place at the next meeting. Chairman Gonzales asked for updates on the accreditation visits as soon as they are available.

Budget and Finance Committee – Regent Robert Benavides

a) Approval of Contracts Policy – Action Item (attachment k).

Chairman Gonzales presented on behalf of Regent Benavides. Chairman Gonzales stated that at the last meeting he asked President Fries to draft a revised purchasing policy. Currently the Budget & Finance Committee approves purchases between \$30,000 and \$75,000 and the Board formally approves purchases and services of \$75,000 or more. Chairman Gonzales asked the Board to change the policy to: approve purchase contracts over \$500,000 and professional services contracts over \$500,000 in an open, public Board Meeting. Chairman Gonzales added that he would like the Board to maintain oversight of the sole source contracts that the university is awarding to individuals or companies and asked that the following language be added to the policy, “any sole source contract in an amount that otherwise under state regulations would require that bids be secured should be reported to the Budget & Finance Committee”. Chairman Gonzales explained that if a sole source contract for items is used that would otherwise require bids under state statutes, the budget & Finance Committee would be informed of that sole source award and that back up documents proper and justification for the sole source awards. A discussion regarding Department of Finance regulations, state statutes, and university policy was held.

Regent Adams moved to table the Approval of Contracts Policy until the next Board Meeting. Regent Vázquez seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Salas, and Regent Vázquez. Motion passed unanimously.

b) Authorize Design of and/or the Acquisition of a President’s House – Action Item

Chairman Gonzales asked that the Board direct the administration to begin to seek design services for the construction of a new university home at the golf course if possible and/or to look for the acquisition of an existing home. Chairman Gonzales stated for the record that the purchase of a new university home is an initiative from the Board not from the President.

Chairman Gonzales asked that President Fries sign off any type of design services that the administration brings forward. Regent Adams stated that he would like it if a university home could be built at the golf course because parking at events held at the home would not be a problem for either neighbors or attendees.

Regent Adams moved to approve the design of and/or the acquisition of a new President's House. Regent Salas seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Buildings and Grounds Committee – Regent Walter Adams

Regent Adams commended the Information Technology Services and Facilities Departments for getting the university ready for our students. Regents Adams informed the Board that El Conquistador Dorm (Hi-Rise) demolition was complete. Chairman Gonzales thanked Regent Adams for his community outreach during the Hi-Rise demolition process. Chairman Gonzales noted that at his request Mr. Lawrence Trujillo submitted an energy efficiency report (attachment l) that will be implemented as a policy when it is further defined. Chairman Gonzales indicated that Mr. Trujillo's report hit several points that he had raised and thanked Mr. Trujillo for his work. He also asked Mr. Trujillo to move forward to convert the plan into a policy and present it to the Buildings & Grounds Committee and then the Board at the next meeting. Regent Vázquez asked if all current and new RFP's include Leeds or conservation standards. President Fries informed the Board that the RFP for the new Residence Hall includes expectations of meeting Leeds compliance. Mr. Trujillo stated the Ms. Marisol Greene contributed a lot of the points on the report.

Chairman Gonzales asked Regent Adams and the administration to consider the development of a new rodeo facility and to bring to the Board a recommendation for a plan that would allow the university to acquire and/or construct a new facility for the rodeo program. Chairman Gonzales indicated that the university had received a large piece of property as a donation and later returned it to the donor. He asked that administration research the donation and find out who the donor was and if they were interested in donating the property again. Chairman Gonzales informed the Board that the City of Las Vegas has offered their rodeo arena to Highlands, but that he would like the Highlands Rodeo Team to have a permanent facility. President Fries informed the Board that the Rodeo Team has grown substantially and that there are 29 students on the team. President Fries stated that Highlands has done some initial exploration of new facility options. President Fries noted that Highlands should look for property that has utility access readily available. Regent Adams commented that any investment the university makes should be to provide the best services possible to our students and he agreed that owning our own rodeo facility would be best for the university. Chairman Gonzales asked Marisol to address the issue soon because the current rodeo facility is on an annual lease.

Student Affairs Committee – Regent Sherry Salas

A written report was provided (attachment m).

a) NMHU Association of Graduate Students Constitution – Action Item

Regent Salas informed the Board that revisions to the AGS Constitution and By-Laws (attachment n) were made at the request of President Fries. Regent Salas pointed out that the AGS President would have a seat at Board of Regents Meetings. President Fries indicated that he and others met to revise the constitution and recommends that the AGS Constitution be approved substantially in form. Chairman Gonzales asked if having an AGS representative at Board meetings was standard practice at other universities. President Fries indicated that having an AGS representative at Board meetings would be at the discretion of the Board. Chairman Gonzales asked if there were any graduate students serving on the ASNMHU. President Michael Sallee informed the Board that there are two graduate students serving on the ASNMHU. President Sallee clarified that the ASNMHU serves all students but primarily focuses on undergraduates and that the AGS would focus on graduate students only. Chairman Gonzales asked President Sallee if he felt that he reported on behalf of all the students or just undergraduate students. President Sallee replied that he reports on behalf of all of the NMHU students. Mr. Jesse Lopez, former ASNMHU President informed the Board that the AGS has been an ongoing project for the past two years. Mr. Lopez reported that a previous AGS failed because it was initiated as a club instead of an actual senate. Mr. Lopez stated that graduate student's needs are aimed at academics and research unlike undergraduate student needs which are retention and social events. Mr. Lopez informed the Board that the AGS was modeled after the AGS Constitution at New Mexico State University and that AGS's throughout the country have representation at Board meetings. Mr. Lopez reported that approximately 40% of NMHU's population is graduate students. President Sallee stated that the ASNMHU fully supports an AGS and they have allocated \$10,000 of the ASNMHU budget for the AGS. President Sallee confirmed that the ASNMHU serves and will continue to serve both graduate and undergraduate students. He further stated that he does not want graduate students to feel that they can no longer ask the ASNMHU for assistance. Chairman Gonzales asked if the ASNMHU President serves all students why was there a need for an additional presence at Board meetings. President Sallee responded that he felt there was a need for graduate student representation so that the AGS is taken seriously and they would have a direct link to the Board.

Regent Vázquez moved to approve NMHU Association of Graduate Students Constitution substantially in form. Regent Adams seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Student Senate Report – Mr. Michael Sallee

President Sallee presented and provided the ASNMHU report (attachment o). President Sallee informed the Board that the ASNMHU has been very active with homecoming preparations and Rush Week activities. He noted that six clubs participated in Rush Week.

President Sallee reported the following:

- Club HU has been well attended and dances will be held every Thursday night.
- The grand opening ceremony for the Student Museum will be on September 21st at noon.
- Homecoming events are scheduled; events include a football game, pageant, parade, and residence hall "Battle of the Halls".

- ASNMHU allocated funds for a scholarship approximately three years ago but the scholarship has never been awarded because no criterion was ever specified. ASNMHU is working to set up guidelines for awarding the scholarship.
- Two issues of LaMecha have been published and staff met publishing deadlines.

Faculty Senate Report – Dr. Maureen Romine

Dr. Maureen Romine presented her written report (attachment p). Dr. Romine stated that in response to the Hispano Roundtable presentation at the last Board Meeting and a directive from Chairman Gonzales for the Faculty Senate to consider the information, they will be forwarding the information to the full faculty for consideration and will keep the Board informed of the faculty's recommendations. The issue of Campus Police carrying firearms will be presented at the next faculty meeting. Dr. Romine informed the Board that an *ad hoc* committee would determine which applicants would receive the Ballen and Pino Endowments. Dr. Romine reported that the Faculty Senate has budgeted \$2,500 for mediation training for members of the Faculty Grievance Committee and announced that others interested are welcome to attend. Chairman Gonzales commented that he was pleased that the Faculty Senate had allocated funding for mediation training and wondered if the training could be expanded to include grievance hearing training. Dr. Romine stated that she would research the possibility.

Persons Wishing to Address the Board

Chairman Gonzales asked if anyone wished to address the Board. No one came forward.

President's Report – Dr. James Fries, President

President Fries

- a) Approval of Capital Projects (attachment q) – Action Items
 - i. Residence Hall
 - ii. Student Center
 - iii. Expansion/Remodel of Felix Martinez Building

Chairman Gonzales asked if the Residence Hall, Student Center, and Felix Martinez Committees had student representation. President Fries informed the Board that all three of the projects are focused on improving services to our students and one of the key elements at Felix Martinez is to provide a one-stop shopping facility.

Regent Vázquez moved to approve Capital Projects as presented with the recommendation that student representation is included on each planning committee. Regent Salas seconded the motion. Voting in favor were: Regent Gonzales, Regent Adams, Regent Salas, and Regent Vázquez. Motion passed unanimously.

Chairman Gonzales noted that the RPF for the Residence Hall will go out today and that President Fries met the goal he asked for two months ago and commended him for a job well done.

President Fries thanked Mr. Trujillo for his work on projects and for providing guidance and leadership for the Facilities Department the past few months. He

announced that Ms. Greene would be taking on the additional responsibilities of overseeing the Facilities Department and would also remain the Capital Projects Coordinator.

b) Raton Learning Center Update

President Fries informed the Board that the university has committed to expanding services in Raton and that discussions with members from the Raton Learning Center are ongoing. The Raton Learning Center facility is in good shape, but does need some work to bring it up to ADA compliance. The Raton Learning Center has a \$200,000 appropriation that will be used to make some building modifications and bring the building up to ADA compliance. President Fries informed the Board that the Bachelor's of Nursing and the Social Work Programs would be added to the Raton course offerings.

c) Mutual Aid Agreement with Las Vegas Police Department

President Fries informed the Board that Highlands has been working with the Las Vegas City Police Department to develop a mutual aid agreement. President Fries stated that Highlands employs two certified police officers and several security officers, none of which are armed. President Fries acknowledged the great attitude and cooperation that Las Vegas Police Chief Gary Gold has put forth. President Fries reported that there have been two instances in which City and State Police were called and that they both responded promptly.

President Fries informed the Board that the Emergency Text Messaging System would be launched on September 17, 2007. Chairman Gonzales asked that Dr. Romine inform the faculty; President Saltee inform the students; and Mr. Trujillo work on informing the staff about the Emergency Text Messaging System.

President Fries reported that the university was close to completing the University's Emergency Management Plan and that Vice President Cordova had taken the lead on the project.

d) Other

President Fries announced the following:

- Installation of stand-alone boilers is ongoing
- Student Insurance is now available
- Auditors will complete their review by the end of the month
- The FY09 and Capital Projects Request Hearing is scheduled for September 19, 2007 at the Higher Education Department
- Congress has approved the College Cost & Reduction Act, under which Upward Bound will receive funding and Pell Grant awards will increase by \$500 in the fall
- The Bachelor's of Nursing Program will receive \$132,000 from the Higher Education Department
- The School of Social Work is searching for lease space in Albuquerque
- Mr. Sean Weaver is doing a great job as Director of University Relations
- The NMHU Athletic Department has a new website
- NMHU and Western New Mexico University will establish a traveling trophy in football

- NMHU participated in the Santa Fe Fiesta Parade
- Cabinet Secretary Dr. Reed Dasenbrock asked to tour the NMHU campus and a visit will be scheduled for early November

Chairman Gonzales asked President Fries to work with Mr. Trujillo and University Lobbyists on a response to the Higher Education Department regarding the University of New Mexico and New Mexico State University's efforts to have their own funding formula. He asked them to identify, how Highlands, along with the other institution were going to advocate an alternative formula.

Chairman Gonzales asked that the next Board meeting be held at the NMHU-Rio Rancho Center.

Executive Session – (1) Limited personnel matters related to the hiring, promotion, demotion, dismissal, assignment, resignation, or investigation or consideration of complaints or charges against an employee; (2) bargaining strategy preliminary to collective bargaining; (3) threatened or pending litigation subject to the attorney-client privilege in which the University may become a participant; and (4) real estate disposal. Pursuant to provisions of NMSA 1978, §10-15-1(H) (2)(5)(7)&(8). Regent Vázquez moved to adjourn to executive session Regent Salas seconded the motion. A roll call was taken and voting in favor of the motion were: Regent Gonzales, yes; Regent Adams, yes; Regent Salas, yes; and Regent Vázquez, yes. Motion carried and the Board went into executive session at 12:00 pm.

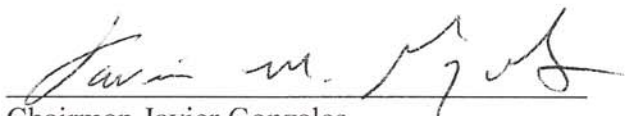
Regent Salas moved to come out of executive session into open session. Regent Vázquez seconded the motion. For the record, Chairman Gonzales stated that only those items cited in the motion were discussed in executive session and no action was taken. Regents present confirmed the statement. A roll call was taken and voting in favor of the motion were: Regent Gonzales, yes; Regent Adams, yes; Regent Salas, yes; and Regent Vázquez, yes. Motion carried unanimously and the meeting was called back to order at 12:55 pm.

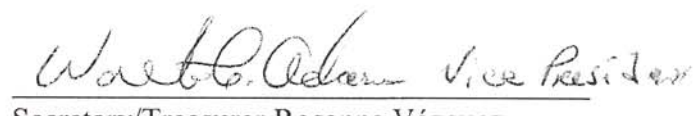
Comments by the Regents

No Comments were made.

Adjournment

Regent Vázquez moved to adjourn the meeting. Regent Adams seconded the motion. Motion carried and the meeting adjourned at 1:00 pm.


Chairman Javier Gonzales
NMHU Board of Regents


Secretary/Treasurer Rosanna Vázquez
NMHU Board of Regents