

New Mexico Highlands University
Board of Regents Special Meeting
President's Conference Room
NMHU Main Campus
Las Vegas, NM 87701
March 26, 2012 at 10:30 a.m.

1. Call to Order – Chairman Leveo V. Sanchez
2. Roll Call
3. Approval of Agenda for March 26, 2012
4. Approval of the Meeting Minutes from February 1, 2012, February 13, 2012, February 20, 2012, and February 27, 2012
5. Refinancing 2008 Bonds – Action Item
6. Severance Tax Bond Resolution – Action Item
7. Name for Coffeehouse – Action Item
8. Future Board Meetings – Action Item
9. President's Report
10. 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)
11. FY12 Faculty and Staff Compensation – Action Item
12. Student Union Building Construction Contract – Action Item
13. Adjournment

**New Mexico Highlands University
Board of Regents Special Meeting
March 26, 2012**

The New Mexico Highlands University Board of Regents held a special meeting on March 26, 2012 in the President's Conference Room in the Rodger's Administration Building on the New Mexico Highlands University main campus in Las Vegas, New Mexico. Chairman Sanchez called the meeting to order at 10:30 a.m.

Attendance

Board Members Present: Mr. Leveo V. Sanchez, Mr. Jesus L. López, Mr. Frank Marchi, and Ms. Caitlin Syner. Board Members Absent: Ms. Nancy R. Long.

Administrative Personnel Present: Dr. James Fries, President; Dr. Gilbert Rivera, Vice President for Academic Affairs; Ms. Rachel King, NMHU Legal Counsel; Ms. Mariposa Padilla-Sivage.

Others Present: Ms. Carolina Martínez, Executive Administrative Assistant; and numerous other individuals in the audience, including staff, and media.

Approval of Meeting Agenda for March 26, 2012

Regent Marchi moved to approve the March 26, 2012 agenda. Regent Syner seconded. Voting in favor were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Approval of the Minutes from February 1, 2012, February 13, 2012, February 20, 2012, and February 27, 2012

Regent López moved to approve the minutes from February 1, 2012, February 13, 2012, February 20, 2012, and February 27, 2012 as presented. Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Refinancing 2008 Bonds – Action Item

President Fries reported that RBC Marketing, the university's advisor, recommended that NMHU refinance the 2008 Bonds for the residence hall construction. President Fries introduced Mr. Paul Cassidy from RBC Marketing and Mr. Duane Brown from the Modrell Sperling Firm.

Mr. Cassidy informed the Board that RBC Marketing together with Modrell Sperling is requesting final approval from the Board to proceed with the refinancing of the 2008 Bonds. The initial amount of the Bond was slightly over \$19 million and has been paid down to \$18.7 million with an average interest rate of 4.41%. After receiving approval for the refinancing from the New Mexico Higher Education Department and the State Board of Finance; an interest rate of 3.79% has been negotiated with the New Mexico Finance Authority, resulting in a savings of approximately \$100,000 per year.

President Fries informed the Board that the new bonds will have a ten-year call as opposed to the current one-year call.

Mr. Duane Brown, Attorney at Modrell Sperling working counsel on the bond refinancing, reiterated that the NMHED and the State Board of Finance have both approved the university bond refinancing. Mr. Brown informed the Board that the Sales Resolution (**Attachment A**) and the Bond Purchase Agreement (**Attachment B**) both require Board action and approval before they can be presented to the New Mexico Finance Authority for final approval.

Regent López moved to approve the Sales Resolution and Bond Purchase Agreement for the refinancing of the 2008 Bonds to be issued in the amount of \$18,335,000 as presented. Regent Syner seconded. Voting in favor of the motion were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Severance Tax Bond Resolution – Action Item

President Fries reported that during the 2012 Legislative Session, a total of \$60,000 in Severance Tax Bond funding was approved to equip the NMHU athletic facilities. President Fries reported that the STB Resolution (**Attachment C**) required Board approval prior to April 13, 2012.

Regent López moved to approve the Severance Tax Bond Resolution as presented. Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Name for the Coffeehouse – Action Item

President Fries informed the Board that the new food service provider is managing the Despertarse coffeehouse on campus which has recently been refurbished. The Office of Campus Life conducted a contest to solicit suggestions for a new coffeehouse name. Faculty, staff, and students submitted 171 suggestions and after a final polling the name “Purple Brew” was selected. The name was submitted by Dr. Orit Tamir. President Fries informed the Board that the coffeehouse is located in the Donnelly Library off of Central Park. The university’s naming policy states that only the NMHU Board of Regents can name university facilities and he is recommending the rename of the coffeehouse to “Purple Brew” due to the great interest and participation from the campus community.

Regent Syner moved to approve the renaming of the coffeehouse from Despertarse to “Purple Brew” (**Attachment D**). Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Future Board Dates – Action Item

President Fries suggested dates for future subcommittee meetings, a full Board meeting, and a Board Retreat (**Attachment E**). Regents present agreed to hold the next full Board meeting on Monday, April 23, 2012 at 10:30 a.m. at Kennedy Hall and a Board Retreat on May 4-5, 2012.

President's Report

President Fries presented the Change in Net Value Graph ending February 28, 2012 of the endowment funds that are held by the university. The market value of these funds has increased as indicated on the graph (**Attachment F**). The current value is at its highest since July, 2011.

President Fries reported the following:

- The university received a \$414,000 grant from the National Science Foundation to fund STEM scholarships for students over the next five-year period.
- The university is beginning to process timesheets for exempt employees electronically.
- The City of Las Vegas will hold two run-off elections. Running for the Mayor of Las Vegas are Mayor Ortiz and Ms. Tonita Gurule-Jiron, Councilor. Running for City Councilman Ward 3 are Mr. Joey Herrera and Dr. Joe McCaffrey.
- 19 state legislators, representatives and senators, have elected not to run for re-election.
- The 2012 NMHU-Rio Rancho commencement speaker will be Mr. Joe Abeyta. Mr. Abeyta is the former Superintendent of Santa Fe Indian School.
- The University of New Mexico Board of Regents have tentatively approved a tuition increase of 3.75% and an overall student fee increase of 5.6% for the upcoming academic year. Tuition at UNM will increase to \$4,825 and fees will be \$1,223.
- NMHU's 2012 commencement speaker will be Reverend Samuel "Billy" Kyles, a civil rights leader. Rev. Kyles was one of two people meeting with Martin Luther King Jr. before he was assassinated.
- The university will be addressing a letter of concerns received from some of the campus police and security officers. The officer's concerns were submitted and printed in the Las Vegas Optic and Albuquerque Journal.

FY12 Faculty and Staff Compensation – Action Item

President Fries informed the Board that due to reduced state revenues in recent years, faculty and staff have not received a compensation increase since the fall of 2009. At that time, the university provided an increase of 1.5% to offset the shift in retirement funding implemented that year. Despite the fact that the university has seen a 19% reduction in state funding and no compensation increases. President Fries noted that faculty and staff have understood the realities of the state's situation and have continued to move the university forward and serve students effectively and efficiently.

President Fries reported that although the FY12 budget enacted by the legislature did not include a compensation package, he and the administration have been reviewing expenditures to date against the FY12 budget to determine if the university can offer a compensation package for faculty and staff. President Fries recommended that full-time and regular part-time employees hired prior to January 1, 2012 receive a one-time \$500 bonus on the April 13, 2012 pay check,

pro-rated based on FTE. President Fries informed the Board that the one-time bonus for tenured and tenure-track faculty is subject to ratification by the Faculty Association.

Regent López moved to approve the FY12 Faculty and Staff Compensation as presented (**Attachment G**). Regent Marchi seconded. Voting in favor of the motion were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

President Fries thanked the Board for their support on the motion.

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). Regent López moved to enter into executive session for the sole purpose of discussing the items listed. Regent Syner seconded. A roll call was taken and voting in favor were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion carried and the Board went into executive session at 11:20 a.m.

Regent López moved to come out of executive session into open session. Regent Marchi seconded. Regent López stated for the record that only those items specified under the executive session item were discussed and no action was taken. Regents present confirmed. A roll call was taken and voting in favor of coming out of executive session into regular session were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion carried unanimously and the meeting was called back to order at 1:37 p.m.

Student Union Building Construction Contract – Action Item

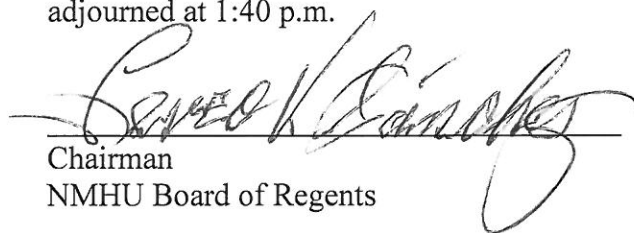
Regent López moved that the NMHU Board of Regents authorize a contract with the Cooperative Educational Services with the State of New Mexico through the general services administration for Franken Construction Company to complete the construction of the student union building in a total amount of \$4,803,846.51 Regent Marchi seconded.

President Fries stated the CES contract is a preliminary contract and that there would be additional costs associated with the project. Approval of the CES contract will allow Franken Construction Company to enter into contracts with the appropriate subcontractors and get the project underway. President Fries informed the Board that there will be additional costs associated with the project which have not been finalized. The CES contracts are recognized as not being the final costs.

Voting in favor of the motion were: Chairman Sanchez, Regent López, Regent Marchi, and Regent Syner. Motion passed unanimously.

Adjournment

Regent López moved to adjourn. Regent Syner seconded. Motion carried and the meeting adjourned at 1:40 p.m.



Chairman
NMHU Board of Regents



Secretary/Treasurer
NMHU Board of Regents