



New Mexico Highlands University Board of Regents

Notice & Agenda of Special Open Meeting July 21, 2023 at 10:00 a.m.

On this date and time, the New Mexico Highlands University Board of Regents will hold a special open meeting addressing the agenda items listed below. Copies of this notice and agenda may be obtained on the University's website at <https://www.nmhu.edu/board-of-regents/board-of-regents-announcements> no less than 72 hours before the meeting. The meeting will be held live at the **New Mexico Highlands University Rodgers Hall Building, Room RAB107, 803 National Ave., Las Vegas, New Mexico**, and livestream via **Zoom Platform**. Members of the public may access the livestream through the following link:

<https://nmhu.zoom.us/j/99373471046>

Meeting ID: 993 7347 1046

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AGENDA

1. Call to Order – Chairman William Garcia
2. Roll Call
3. Compliance with Meeting Notice Requirements
4. Approval of the July 21, 2023 Agenda
5. Approval of the Minutes from June 15, 2023
6. Approval of the Minutes from July 11, 2023
7. Vice President of Finance and Administration (VPFA)-Ms. Stephanie Gonzales
 - A. FY23 Q4 Certification-**Action Item**

- B. HR/Payroll Update
- 8. Presidential Selection Update and Discussion-Chairman William Garcia and R H Perry
- 9. President's Report-Dr. Sam Minner
 - A. Requests For Use of Golf Course Property
 - B. Personnel Changes
- 10. Vacant Land RFP Review and Approval-**Action Item**
- 11. Executive Session– (a) limited personnel matters related to President Sam Minner's evaluation, goals, and compensation and to the investigation or consideration of complaints or charges against any individual or public employee pursuant to NMSA 1978, § 10-15-1(H)(2); and (b) threatened or pending litigation subject to the attorney- client privilege in which the university is or may become a participant pursuant to NMSA 1978, 10-15-1(H)(7).
- 12. Public Action and Statements as Necessary on Executive Session Discussion-**Action Item**
- 13. Provost/Vice President of Academic Affairs (VPAA) -Dr. Roxanne Gonzales
 - A. Research Policy Handbook-**Action Item**
 - B. Removal of the Proposal Routing Form from the Faculty Association Collective Bargaining Agreement-**Action Item**
- 14. HLC Update-Dr. Keith Tucker & Ms. April Kent
- 15. Review of Board of Regents Standing Committee Assignments
- 16. Other Business-No Action Items
- 17. Adjournment

New Mexico Highlands University
Board of Regents Meeting
July 21, 2023

The New Mexico Highlands University Board of Regents held a regular meeting on July 21, 2023. The meeting was held at the Rodgers Administration Building, Room 107, 803 National Avenue, Las Vegas, NM 87701. The university made every effort to accommodate members of the public as stated in the July 18, 2023, meeting announcement. The meeting was livestreamed via Zoom. Members of the public were able to access the livestream through the following link:

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Call to Order – Chairman Garcia called the meeting to order at 10:00 a.m.

Roll Call – Board Members present: Mr. William Garcia, Mr. Robert Lucero, Mr. Cody Rivera, Dr. Frank Sanchez, and Ms. Danelle Smith

Administrative Personnel Present: Dr. Sam Minner, President; Ms. Stephanie Gonzales, CPA/VP of Finance, Administration; Dr. Roxanne Gonzales, Provost/VP of Academic Affairs, Ms. Theresa Law, JD, CFRE/Executive VP of Student and Donor Engagement, Mr. Joseph Dominguez, Director of Student Life & Campus Recreation/Interim Director of Housing on behalf of Dr. Kimberly Blea, Dean of Students; Mr. Max Baca, Special Assistant to the President/Government Relations; and Mr. David Lepre, VP for Marketing and Communications

Others Present: Dr. Keith Tucker, HLC Director/Accreditation Liaison Officer; Ms. April Kent, HLC Liaison Officer; Ms. Patricia Ives, NMHU Legal Counsel; Ms. Maria Sena, Senior Executive Administrative Assistant; and Ms. Carolina Martínez, Senior Executive Administrative Assistant. Numerous faculty members, staff, students, community members, and public participated in the meeting as it was streamed via ZOOM.

Compliance with Meeting Notice Requirements

Chairman Garcia stated that in accordance with the Open Meetings Act, the notice and agenda with the meeting date, time, and place for the July 21, 2023, regular meeting were posted timely and in compliance with the NMHU Board of Regents Open Meetings Act Resolution.

Approval of the July 21, 2023 Agenda

Regent Lucero moved to approve the July 21, 2023, meeting agenda as presented. Regent Smith seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Approval of the Minutes from June 15, 2023

Regent Lucero moved to approve the minutes from the June 15, 2023, special meeting with one correction, change "Region Sanchez" to "Regent Sanchez" on page 5, paragraph 7. Regent Smith seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Smith, and Chairman Garcia. Abstaining: Regent Sanchez. Motion carried.

Approval of the Minutes from July 11, 2023

Regent Smith moved to approve the minutes from the July 11, 2023, special meeting as presented. Regent Rivera seconded.

Regent Sanchez indicated that during the course of the motion to enter into executive session, he motioned that the Board not into enter executive session and to discuss the executive session matters in open session for transparency. There was no second and the motion died. Regent Sanchez requested his motion and discussion be reflected in the July 11, 2023, minutes.

Chairman Garcia called for a motion to table approval of the minutes until they are revised to adequately articulate the executive session motions in the July 11, 2023 meeting.

Regent Smith withdrew her previous motion to approve the minutes of July 11, 2023.

Regent Smith moved to table the approval of the July 11, 2023 meeting minutes. Regent Lucero seconded. A roll call vote was taken, voting in favor were: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Vice President of Finance & Administration (VPFA) - Ms. Stephanie Gonzales

FY23 Q4 Certification – Action Item

VPFA Gonzales informed the Board that all of the FY23 Q4 Certification responses were "No", indicating a clean report.

Regent Smith asked that all clean Quarterly Certifications be added to the consent calendar.

Regent Smith moved to approve the FY23 Q4 Certification as presented (**Attachment A**). Regent Lucero seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Smith, and Chairman Garcia. Abstaining: Regent Sanchez. Motion carried.

HR/Payroll Update

Chairman Garcia will add Human Resources and Payroll Update to all upcoming agendas.

VPFA Gonzales reported that she is working on immediate and long-term solutions to years-long problems in that department. Currently there are two full-time staff in HR and no payroll staff. She is working on hiring at least 10 full-time employees. VPFA Gonzales informed the

Board that the university is working with a temporary agency to hire an HR Generalist and an HR Technician. Specialized and cross-trainings will be conducted once offices are fully staffed.

Mr. Joe Gieri, IT Chief Information Officer, is overseeing Paycom implementation, which was delayed while data is transferred. Paycom will take over payroll banking and reconciliations, an area of concern for our next audit. VPFA Gonzales added that Paycom would provide a user-friendly interface and allow the university to maintain federal and state compliances.

VPFA Gonzales announced that Dr. Keith Tucker is the new HR Navigator. He will be the central point for all HR and payroll issues/concerns. He will log all concerns noting dates, age of concern, resolutions, and causes to create a procedural manual.

Regent Smith asked if Paycom would resolve payroll issues. VPFA Gonzales replied yes, provided data and implementation are accurate.

Regent Lucero thanked VPFA Gonzales for her hard work and report. Regent Lucero offered his support to implement solutions to get the university back on track.

Regent Sanchez asked how new employees are identified. VPFA Gonzales informed that a temporary agency is helping pinpoint potential hires and positions are posted on the university's website. Regent Sanchez was concerned that applicants do not receive responses from the university. VPFA Gonzales responded that she is working to resolve that issue. He asked VPFA Gonzales to research issues associated with Regents receiving their stipends in a timely manner.

Chairman Garcia asked if Paycom was an adequate software program. VPFA Gonzales replied yes and stated that the program would alleviate many of the payroll problems as well aid with federal, state, and multi-state compliances.

President Minner informed the Board that he and VPFA Gonzales discussed her personnel changes, her technical assistance needs, and outsourcing. He advised her to form an advisory committee comprised of faculty, staff, and students and conduct workshops and trainings.

Presidential Selection Update and Discussion – Chairman Garcia and RH Perry & Associates

Chairman Garcia announced that RH Perry & Associates was the selected Presidential Search firm. He welcomed Mr. Paul Doeg, RH Perry President/COO; Dr. Sue DeWine Senior Consultant; and Dr. Pam Shockley-Zalabak, Senior Consultant to the meeting. They participated in the meeting via Zoom.

Dr. DeWine provided an overview of the Charge to the Presidential Search Committee (**Attachment B**) and the Search Timeline (**Attachment C**). The Board received the documents in advance of the meeting.

A lengthy discussion regarding the selection process, candidate finalists, and the proposed timeline was held. Chairman Garcia stated that the Board was deliberate in identifying committee members that reflect the diversity of the university and community.

Chairman Garcia announced that Dr. Brandon Kempner, Dean of the College of Arts & Sciences is chairing the Presidential Search Committee. Dr. Kempner informed the Board that the committee worked with RH Perry to develop a charge as specific as possible to generate strong-fit candidates during the application process.

Ms. Pat Ives informed the Board that it is inherent in the chair's authority to create ad hoc committees and to notify the board of such committees. Having heard from the Board, Chairman Garcia has the authority to move forward and give the search committee the charge as opposed to adopting a resolution.

Regent Sanchez made it known that Chairman Garcia reached out to the Regents soliciting for names for the search committee. He stated that he provided ten names, none of which were selected to serve on the Presidential Search Committee. Chairman Garcia replied that the search committee was established based on community demographics and member selections were made based upon names submitted by all of the Regents.

Regent Lucero voiced his concern about receiving the charge and timeline with little opportunity to review and provide feedback.

Regents listed characteristics incoming president possess: recruitment and retention success; knowledgeable with centers; open admissions and student readiness; detailed role of athletics; private fundraising experience; a genuine concern and acceptance to assist under-served under-privileged students; be a team player; supportive of unions; have an enthusiastic drive towards excellence and student success; an understanding that Highlands is a Hispanic Serving Institution that serves everyone; be motivational, and be an experience team builder. President Minner suggested candidates have a doctorate or preferred, be required to live in Las Vegas, and be active in the community.

President Minner asked VP Law to advertise the position to the Alumni and Foundation Boards. Dr. Kempner pointed out that the Board selected six community members who are linked those boards. He stated he would visit each board informing them of the search.

Ms. Ives pointed out that the Regents are the final President selectors and may be lobbied for a particular candidate. She advised them to refer people to the search committee to avoid conflict of interest situations.

Dr. Kempner reported that a Presidential Search website would soon launch. He asked that candidate referrals and search questions be forwarded to him. Search committee meetings are scheduled on Monday evenings to accommodate community members. The first meeting will be held on August 24, 2023. RH Perry will attend the meeting via zoom to explain the charge. Dr. Kempner described the search website as informational; it will archive search procedures. He called on Mr. Benson Hendrix, University Relation Web Developer, to demonstrate the website.

Dr. Kempner stated that RH Perry would be on campus August 22-23, 2023, conducting forums for students, faculty, and staff.

President's Report-Dr. Sam Minner

Requests for Use of Golf Course Property

President Minner informed the Board that he continually receives queries about the university's land holdings and is seeks their guidance. He reported that the university was exploring a reforestation project, which has since prompted the establishment of a consortium at the state level. The university received a letter from the consortium asking if NMHU was interested in creating a reforestation center. President Minner identified that given that our forestry program is accredited, along with reputation of Dr. Josh Sloan, Associate Vice President of Academic Affairs for Forestry and Reforestation Center, he feels Highlands would be competitive in the request to have the center located on the golf course property. Dr. Sloan explained that the center would serve as a reforestation seedling nursery as well as the state's seed bank.

Chairman Garcia remarked that without an established master plan the Board could not process requests in a legitimate and professional manner.

President Minner explained that the administration is requesting permission from the Board to have the golf course property listed as an eligible site for the reforestation center. He said that if the center came to pass it would be a crown jewel for the university and that submitting the letter would not preclude any authority or responsibility of the Board.

Regent Smith recommended that the property be listed as an eligible site.

President Minner reported that the New Mexico Forest & Watershed Restoration Institute is housed at Highlands. He stated that having the reforestation center at NMHU would provide great opportunities for our students.

Chairman Garcia indicated that the Regents must do a cost-benefit analysis to understand the trade-offs of having the center on the golf course land versus development of residences.

Regent Sanchez thanked Dr. Sloan for his work at NMHU and for his efforts on this project.

Chairman Garcia asked how other universities factor into the project and its location. President Minner replied that most universities would prefer the center be near their campuses.

Regent Smith asked for next steps if a letter of interest was submitted. Dr. Sloan said that the reviewing firm would submit their ranked report to the New Mexico Reforestation Board. The NMRB would then contact the most eligible property owner to discuss how to proceed.

Chairman Garcia requested that the letter of interest state that the Board agrees the golf course property is a legitimate site to consider however, the Board is developing a master plan for the

entire property and dependent upon those outcomes, they may have a different vision for the property. He noted that the Board does not want to represent that the land was 100% available. Regent Smith disagreed stating that such language would discourage the NMRB from selecting Highlands as a potential site.

President Minner reported that there was sufficient water for both the reforestation center and golf course. He stated that he plans to maintain the nine-hole golf course and that adding a new facility would enhance the land and still leave plenty of space for housing.

President Minner reiterated the Board's directives: inform the Family Foundation that the university is pursuing a comprehensive plan; ask the county for their written proposal for the ambulance services located off Mills Avenue; and submit a letter of interest to the NM Reforestation Board for the Reforestation Center. Chairman Garcia confirmed the directives.

Personnel Changes

President Minner announced that Ms. Maria Sena was leaving her position and expressed his gratitude for her service to NMHU as senior executive administrative assistant and secretary to the Board. The Regents thanked her for her dedication and hard work. President Minner, along with the Board, proclaimed it Maria Sena Day in her honor. President Minner stated that he was fortunate that Ms. Carolina Martinez, his first senior executive administrative assistant, who worked with him since he arrived in Las Vegas in 2015, was returning. He commented that she was an incredible person, and anticipates a smooth transition. Ms. Martinez will also serve as secretary to the Board.

Vacant Land RFP Review and Approval – Action Item

Tabled during the June 15, 2023, meeting.

Chairman Garcia called on Mr. Aaron Flure, Associate Vice President for Finance & Administration to present. Mr. Flure provided a PowerPoint presentation (**Attachment D**).

Regent Smith recommended that phases 2 and 3 be combined in option 1. She wants the RFP to state that the results of phase 1 would go before the Board before proceeding to phase 2. She did not envision the university generating funds for residential or commercial development and welcomed the reforestation project to help generate revenue for the university.

Chairman Garcia stated that he supports phase 1, one RFP with 3 phases, as proposed by Mr. Murphy at a prior meeting.

Regent Rivera informed the Board of his tour of the residence halls. He assessed that 4 of 5 dorms do not have air conditioning. He recognized the goal of an RFP is to create future funding but was uncomfortable spending \$180k on an RFP for an auxiliary that has been running a deficit for several years when funds could be used on repairs to the dorms, track, and soccer and baseball fields. He remarked that the reforestation center would positively affect students. Chairman Garcia informed the Regents that student housing is an auxiliary account.

Regent Rivera moved to table the Vacant Land RFP. Regent Smith seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Smith, and Chairman Garcia. Abstaining: Regent Sanchez. Motion carried.

Regent Lucero and Regent Sanchez raised concerns about tabling the RFP for a second time.

Executive Session – (a) limited personnel matters related to President Minner’s evaluation, goals, and compensation and to the investigation or consideration of complaints or charges against any individual or public employee pursuant to NMSA 1978, § 10-15-1(H)(2); and (b) threatened or pending litigation subject to the attorney-client privilege in which the university is or may become a participant pursuant to NMSA 1978, § 10-15-1(H)(7).

Regent Lucero moved to enter into executive session for the sole purpose of discussing the items listed. Regent Smith seconded. A roll call vote was taken, voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried. The Board entered into executive session at 1:07 p.m.

Regent Lucero moved to return to open session and stated for the record that only those items specified under the executive session motion were discussed and the Board took no action. Regents present confirmed. Regent Sanchez seconded the motion. A roll call was taken, voting in favor of returning to open session were Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried and the Board returned to open session at 3:34 p.m.

Public Action and Statements as Necessary on Executive Session Discussion

Regent Smith moved to approve a 6% annual salary increase for President Minner. Regent Rivera seconded. Chairman Garcia informed that the legislature approved a 6% increase. The Board thanked President Minner for his service. A roll call vote was taken, voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Regent Smith motioned for Chairman Garcia to draft a formal written evaluation of President Minner for the 2022-2023 academic year and to draft his goals for 2023-2024 on behalf of the Board. Regent Lucero seconded. A roll call vote was taken, voting in favor were: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Regent Smith moved to direct Ms. Pat Ives, NMHU Legal Counsel, to draft a response to the Higher Education Department as discussed during executive session. Chairman Garcia seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Provost/Vice President of Academic Affairs (VPAA) - Dr. Roxanne Gonzales

VPAA Gonzales introduced Dr. Cesar Abarca, the new dean of the Facundo Valdez School of Social Work.

Research Policy Handbook – Action Item

Dr. Ian Williamson, Associate Vice President for Academic Affairs, Grants and Contracts, acknowledged Dr. Linda LaGrange, Faculty Emerita, for her hard work revising the handbook. He added that Dr. LaGrange donated land to the university. Dr. Williamson thanked the following for their hard work and expertise revising the Research Policy Handbook: Dr. Sarah

Corey-Rivas, Dr. David Pan, Dr. Laura Heflin, Dr. Michael Petronis, Mr. Brian Henington, President Minner, VPAA Gonzales, Dr. Kathy Jenkins, and the Faculty Association.

Regent Smith moved to approve the Research Policy Handbook (**Attachment E**) as presented. Regent Lucero seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Removal of the Proposal Routing Form from the Faculty Association Collective Bargaining Agreement – Action Item

Tabled during the June 15, 2023, Board meeting.

Regent Smith moved to approve the Removal of the Proposal Routing Form from the Faculty Association Collective Bargaining Agreement (**Attachment F**) as presented. Regent Rivera seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

HLC Update – Dr. Keith Tucker and Ms. April Kent

Dr. Keith Tucker, HLC Director/Accreditation Liaison Officer and Ms. April Kent, HLC Liaison Officer provided a PowerPoint presentation (**Attachment G**).

Regent Sanchez exited the meeting at 4:35 p.m.

Review of Board of Regents Standing Committee Assignments – Chairman Garcia

Chairman Garcia listed the Board of Regents standing committee members (**Attachment H**). He announced that Regent Lucero joined the Student Affairs Committee.

Other Business – No Action Items

Chairman Garcia announced that the Board would tour the residence halls and that Board standing committees would provide reports during the August 25, 2023 meeting.

Adjournment

The meeting adjourned at 4:40 p.m.



Chairman
NMHU Board of Regents



Secretary/Treasurer
NMHU Board of Regents