

**New Mexico Highlands University
Board of Regents Virtual Special Meeting
October 26, 2020**

The New Mexico Highlands University Board of Regents held a virtual special meeting on October 26, 2020. The meeting streamed via ZOOM from the New Mexico Highlands University main campus in Las Vegas, New Mexico. The university complied with the Governor's Office and the New Mexico Department of Health's social distancing mandate which limits mass gatherings to five (5) individuals therefore, the Board of Regents meeting was held as a virtual meeting only. The university made every effort to accommodate members of the public as stated in the October 19, 2020 meeting announcement. The items addressed during the meeting were time sensitive and could not wait. Thus in accordance with the NM Attorney General's Open Government Division Advisory, the meeting was held as a virtual meeting only. Members of the public were able to access the meeting and also participated in the meeting during the Public Comment section of the agenda via zoom and/or via phone call:

<https://nmhu.zoom.us/j/122824474>

Or iPhone one-tap: US: +13462487799,122824474# or +16699006833,122824474#

Or Telephone: Dial (for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 301 715 8592

Webinar ID: 122 824 474

International numbers available: <https://nmhu.zoom.us/u/ac1IDo7Azz>

Or an H.323/SIP room system: H.323: 162.255.37.11 (US West), 162.255.36.11 (US East)

Chairman Sanchez called upon Dr. Kimberly Blea, Dean of Students to read an opening statement: *"Thank you for joining the NMHU Board of Regents today, October 26, 2020 for our virtual Special Board meeting. The university is complying with the Governor's Office and the New Mexico Department of Health's social distancing mandate limiting mass gatherings to five (5) individuals. The university has made every effort to accommodate members of the public. The items to be addressed at this meeting are time sensitive and cannot wait, thus in accordance with the NM Attorney General's Open Government Division Advisory, the meeting is being held as a virtual meeting only. Board members participating in the meeting remotely are: Mr. William Garcia, Mr. Frank Marchi, Ms. Danelle Smith, Mr. Christopher Ulibarri, and Board Chairman/Mr. Leveo Sanchez."*

"Also participating in the meeting remotely are Dr. Sam Minner, Dr. Roxanne Gonzales, Mr. Max Baca, Dr. Terri Law, Dr. Kimberly Blea, Dr. Orit Tamir, Ms. Veronica Black, Ms. Linda Palos."

"Should Board members or the university lose connectivity and there is no longer have a quorum, the Board meeting will be suspended and no action will be taken until a quorum is reconvened."

Call to Order – Chairman Sanchez called the meeting to order at 9:06 a.m.

Roll Call - Board Members Present via ZOOM: Mr. William Garcia, Mr. Frank Marchi, Ms. Danelle Smith, Mr. Leveo V. Sanchez, and Mr. Christopher Ulibarri. Board Members

Administrative Personnel Present via ZOOM: Dr. Sam Minner, President; Dr. Roxanne Gonzales, Provost/Vice President of Academic Affairs; Mr. Max Baca, Vice President for Finance & Administration; Dr. Theresa Law, Vice President of Student and Donor Engagement; and Dr. Kimberly Blea, Dean of Students

Others Present via ZOOM: Dr. Orit Tamir, Faculty Senate Chair; Ms. Veronica Black, Staff Advisory Senate President; Mr. Luke Salganek, University Legal Counsel, and Ms. Carolina Martínez, Sr. Executive Administrative Assistant. Numerous faculty, staff, students, community members, and the general public participated in the meeting as it was streamed via ZOOM.

Approval of the October 26, 2020 Virtual Special Meeting Agenda

President Minner requested removing item 13.B. FY2021 Salary, Leaves, and Benefits Changes-Action Item from the agenda, the items will be covered in 11.A, 11B., and 11.C.

Regent Ulibarri moved to approve the Board's virtual special meeting agenda for October 26, 2020 with the request made by President Minner. Regent Smith seconded. A roll call vote was taken, voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Approval of the Minutes from October 9, 2020

Regent Garcia moved to approve the minutes from the October 9, 2020 as presented. Regent Marchi seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Board of Regents Report

Regents had no new information to report.

President's Report – Dr. Sam Minner

Virtual Homecoming

President Minner indicated that the virtual homecoming events were a great success. It had a high level of participation. The homecoming committee played a key role. He is requesting that ted talks be held during homecoming week moving forward.

Board Technology

President Minner indicated that a demo for board technology was reviewed. He stated that he was not removing hard copies of board meeting materials, however, he would slowly like to move to an electronic copy of the board book. It is important for the institution to model environmental practices.

Vehicle Electric Charging Station

President Minner indicated that one electric charging station will be installed on campus for electric vehicles use. He has also spoken with the Ms. Baca and procurement and would like to have the next replacement vehicle be an electric vehicle.

Grants

President Minner stated that the university has received several large grants. The School of Education received a \$331,000 grant for training teachers; State grant in the amount of \$606,000 received to train a variety of individuals including parents on virtual modality; Title V Social Work \$5 million grant; and as part of a consortium of institutions are sharing a \$2.3 million grant.

Accreditation

President Minner indicated that the university should receive an announcement this week.

Community Liaison

President Minner stated that last year the university had a part-time community liaison position that has now transitioned into a full-time position. Highlands was a founding partner of a new volunteer program organization called the Vecinos of Las Vegas. It is a way to organize volunteer efforts in our community. This position will work closely with this organization and city government. The first event on this initiative was “paint the bridge”.

Compensation

President Minner indicated that he is committed to compensation increases. He is recommending that our lowest compensation go to \$12 an hour this year and would like to get to \$15 an hour as quickly as possible.

Dean of Student Affairs – Dr. Kimberly Blea

KEDP Radio Station Update

Dr. Blea indicated that the RFP for the KEDP Radio Station has been reviewed by legal counsel. It has also been reviewed by Regent Garcia. Applications are due by November 13, 2020. Applications will be reviewed and a notification will go out by December 1, 2020. Board members agreed that no action would need to be taken by the board, however, they would like an update indicating the recommendation.

Public Comment*

No one came forward.

Executive Session – (a) limited personnel matters related to the dismissal, resignation, and/or investigation or consideration of complaints or charges against any individual or public employee pursuant to NMSA 1978, § 10-15- 1(H)(2); (b) bargaining strategy preliminary to collective bargaining pursuant to NMSA 1978, § 10-15-1(H)(5); (c) deliberations upon competitive sealed proposals for an online program management vendor NMSA 1978, § 10-15-1(H)(6); (d) 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); and (e) real estate acquisition or disposal. Pursuant to NMSA 1978, § 10-15-1(H)(8). Regent Marchi moved to enter into executive session for the sole purpose of discussing the items listed. Regent Ulibarri seconded. A roll call vote was taken, voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried. The Board entered into executive session at 9:31 a.m.

Regent Marchi moved to return to open session. Regent Garcia seconded. Regent Marchi stated for the record that only those items specified under the executive session were discussed and the Board took no action. Regents present confirmed. A roll call was taken, voting in favor of returning to open session were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried and the Board returned to open session at 10:28 a.m.

Public Action as Necessary on Closed Session – Action Item

No action was taken.

Wiley Master’s Service Agreement (Tabled October 9, 2020) – Action Item

Dr. Gonzales stated that the Board asked for clarification on three areas of the Agreement: (1) Notice provided by Wiley to NMHU of right to terminate after 36 months; (2) under what conditions would the failure of the Legislature to provide appropriations apply to the termination of the Agreement; and (3) what safeguards are in place to ensure that NMHU recruited students are not included in the Wiley numbers. In addition to these questions, the Board has expressed interest in what conditions would apply for termination of the contract. Dr. Gonzales indicated that they had engaged in further discussions with Wiley and they have agreed to make the necessary changes to the agreement. **Attachment A** further clarifies all the changes that were made.

Regent Smith moved to approve the Wiley Master’s Service Agreement as presented (**Attachment B**). Regent Garcia seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Collective Bargaining Articles

Mr. Baca discussed several bargaining articles.

Article #25

Mr. Baca indicated that negotiations have been going on for nine months. The increase compensation will be more competitive within New Mexico and other states. Dr. Jenkins indicated that the faculty association voted 100% in favor of this article.

Regent Garcia moved to approve Faculty Association Collective Bargaining Article #25, Faculty Compensation as presented. Regent Smith seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Article #21

Mr. Baca stated that due to a lot of turnover in staff, this article recommends an increase. It also increases the 10% additional duties to 15%. Mr. Baca indicated that this would lead to a more stable staff. Dr. Jenkins, President of the Professional Staff, indicated that this article was also voted 100% in favor.

Regent Smith moved to accept Professional Staff Collective Bargaining Article #21, Professional Staff Compensation as presented. Regent Ulibarri seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Article #30

Mr. Baca indicated that this article would raise base pay. After the Evergreen Study is completed, this will be reviewed again. He states that higher pay helps recruit and retain non-exempt staff. Dr. Jenkins indicated that this article was ratified by faculty and clerical staff at 100%.

Regent Garcia moved to adopt Non-Exempt Staff Collective Bargaining Article #30, Non-Exempt Staff Compensation as presented. Regent Marchi seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Provost/Vice President for Academic Affairs – Dr. Roxanne Gonzales

Certificate in Emerging Business Markets Entrepreneurship: Industrial Hemp (Tabled October 9, 2020) – Action Item

Dr. Gonzales indicated that three departments helped develop this program. Dr. Kempner stated that this certificate will be seven classes or twenty-one credits. Budget for advertising was built into this request. Dr. Gonzales stated that they will work with University Relations to advertise it.

Regent Smith moved to approve the Certificate in Emerging Business Markets Entrepreneurship: Industrial Hemp as presented. Regent Garcia seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Faculty Handbook Changes, Section H Faculty Affairs Committee (Tabled October 9, 2020) – Action Item

Dr. Tamir provided a brief description regarding the consolidation of the Faculty Senate's Faculty Affairs Committee and the Grievance Committee into one. The major reason for this consolidation is because there are currently too many committees and is difficult to populate all Faculty Senate sub-committees. These two committees also require that faculty will be tenured.

Regent Garcia moved to approve the Faculty Handbook Changes, Section H Faculty Affairs Committee as presented. Regent Smith seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Academic Calendar (AY21-23) – Action Item

Dr. Gonzales and Ms. Romero discussed the three-year academic calendar. Ms. Romero indicated that the previously approved calendar had issues with payroll. She indicated that she brought several offices together to review and discuss this calendar. The changes to the calendar include the changes to payroll schedule for faculty and the start of each term begins on Monday instead of Wednesday. She indicates this will better serve our students.

Regent Smith moved to approve the Academic Calendar (AY21-23) as presented. Regent Ulibarri seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

VPAA Report (Tabled October 9, 2020)

Dr. Gonzales provided a written report as part of her Board meeting materials. No additional information was reported.

Vice President for Finance & Administration and Government Relations – Mr. Max Baca

City of Las Vegas/NMHU National Avenue & University Avenue Initiative (Tabled October 9, 2020) – Action Item

Mr. Baca indicated that a few individuals would be joining this conversation. Dr. Minner stated that this initiative started several years ago. The City of Las Vegas commissioned a study regarding the National Avenue & University Avenue. The driver was to improve Las Vegas and its economic development. The top recommendation was a possible changes regarding traffic flow in and around campus.

Mr. Allan Affeldt, entrepreneur, indicated that he is in full support of this initiative not only for economic development but also it significantly clarifies traffic circulation in the city.

Mr. Louie Trujillo, Mayor of the City of Las Vegas, also spoke in favor of this initiative. He indicated that he is 100% in support of project. The main reason to do this initiative is to bring business to old town and the plaza area. Mr. Trujillo will be meeting with the merchants around the plaza area, the Las Vegas First Business Alliance, and the Las Vegas Chamber of Commerce to provide an update on the project.

Ms. Sara Jo Matthews, owner/proprietor and member of the MainStreet de Las Vegas stated that she was in full support of this initiative. She provided a presentation regarding way finding and how to get people to find their way around Las Vegas. She stated this project is the solution to make the city a tourist destination and help our business community.

Regent Garcia moved to approve the City of Las Vegas/NMHU National Avenue & University Avenue Initiative as presented. Regent Smith seconded. A roll call vote was taken, voting in favor were: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried.

Budget Discussion

Mr. Baca stated that our post-session loss was 3.1 million dollars. He indicated that they received COVID funds to absorb COVID expenses incurred by the university. He also stated that some professional development funds were used to reimburse faculty for switching classes to online and unseen labor.

Mr. Baca indicated that Highlands submitted two proposal for GEARS. With Mr. Gieri's assistance, Highlands will receive between \$30,000-\$50,000 for equipment. He also stated that Dr. Earick submitted a proposal for a new Technology Learning Support Specialist. They received over \$600,000 for this initiative.

Mr. Baca indicated that during special session, the legislature took credit for restricted funds. However, when bill was produced, these funds were placed in unrestricted funds. They have asked Highlands to create the necessary expenses to offset these funds. We are working with State CFO, The Department of Finance & Administration (DFA), and the Legislative Finance Committee to repurpose these ING funds. Mr. Baca indicated that some areas have been identified. One area is Campus Police, Health, and Safety. Mr. Baca indicated that he is waiting for official direction from the DFA.

Mr. Baca indicated that total expensive reported to the Legislative Finance Committee and DFA were over \$550,000 and growing.

Mr. Baca discussed Highlands major budget. Highlands was cut about 1.2 million dollars. He stated that the compensation package approved by the board will be covered by budget savings. They will use the guiding principles that were developed to match up with these budget savings.

Mr. Baca discussed budget reductions, including having fewer students on site that provided a saving of \$600,000 from student employment and travel for in-state and out-of-state travel provided a saving of \$210,000.

Proposal for Economic Impact Analysis of NMHU Discussion

Dr. Minner indicated he would like to do an economic impact study for Highlands. However, he does not want to move forward this fiscal year due to budget issues.

VPFA & Government Relations Report (Tabled October 9, 2020)

Mr. Baca provided a written report as part of his Board meeting materials. No additional information was reported.

Vice President of Student and Donor Engagement – Dr. Theresa Law

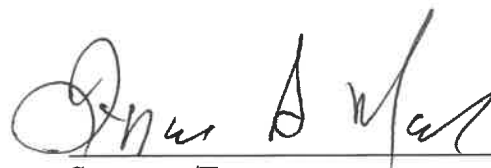
Dr. Law provided a written report as part of her Board meeting materials. No additional information was reported.

Adjournment

Regent Smith moved to adjourn. Regent Garcia seconded. A roll call vote was taken, voting in favor: Regent Garcia, Regent Marchi, Regent Smith, Regent Ulibarri, and Chairman Sanchez. Motion carried and the meeting adjourned at 12:39 p.m.



Chairman
NMHU Board of Regents



Secretary/Treasurer
NMHU Board of Regents