

MINUTES OF THE BOARD OF REGENTS  
NEW MEXICO STATE UNIVERSITY  
September 26, 2008

1. **CALL TO ORDER**

The Board of Regents of New Mexico State University met in the Regents Room of the Educational Services Center on the main campus in Las Cruces, New Mexico, on Friday, September 26, 2008. Chair Gallagher called the meeting to order at 10:08 a.m.

Regents Present Mr. Bob Gallagher, Chair  
Mr. Blake Curtis, Vice Chair  
Mr. M. Steven Anaya, Secretary/Treasurer  
Ms. Laura Conniff, Member  
Mr. Ed Kellum, Member

Ex-officio Regents Present Dr. Joe Pfeiffer  
Mr. Justin O'Connell

Interim President Dr. Waded Cruzado

Interim Executive Vice President/Provost Dr. Robert Moulton

Regents Chief of Staff Dr. Pat Williams

Other Presenters Present Senior Vice President Jennifer Taylor  
Senior Vice President Ben Woods  
Vice President Nick Franklin  
Vice President Carmen Gonzales  
Vice President Vimal Chaitanya  
President Margie Huerta  
Associate Vice President Maureen Howard  
Director Michael Rickenbaker  
Director Fred Ayers  
Deputy Director Tom Bagwell  
Assistant Dean Tim Nesbitt  
Director Amanda Gibson-Smith  
Dr. Fred Rodriguez  
General Counsel Bruce Kite

**2. INTRODUCTIONS**

- (a) Introduction of Press, Elected Officials, and Others by Maureen Howard, Associate Vice President for University Communications and Marketing Services

Associate Vice President Howard introduced Ms. Ashley Meeks from the *Las Cruces Sun-News*.

- (b) Introduction of American Indian Program Director Justin McHorse By Vice President Carmen Gonzales.

Vice President Gonzales introduced the new director of the American Indian Program, Justin McHorse, as of June 30, 2008.

**3. APPROVAL OF AGENDA**

Regent Anaya moved for approval of the agenda, asking that Agenda Item 8(o), Approval of Guidelines for Public Comment, be pulled from the Consent Calendar and placed on the action items as Agenda Item 9(d). Regent Conniff seconded the motion. The motion carried unanimously.

Regent Kellum moved to approve the agenda as amended, seconded by Regent Curtis. The motion carried unanimously.

**4. PUBLIC COMMENT**

Ms. Kath Sola, secretary of AFSCME #2393 commented on agenda item 8(a) Reappointment of Members to the NMSU Labor Management Relations Board. Ms. Sola indicated that one of the first three members on the Labor Board, Mr. Charlie Apodaca, had been replaced with Mr. Anthony Avallone. She also commented on Agenda Item 9(c) Ratification of New Mexico State University and the American Federation of State County Municipal Employees Council 18, Local 2393 proposal on wage and insurance benefits issues.

Ms. Sandy Geiger commented on the different plans being developed on the west campus.

**5. RATIFICATION STATEMENT REGARDING PRIOR EXECUTIVE SESSION(s) (roll call vote)**

The Board of Regents of New Mexico State University met in Executive Session at 3:30 p.m. on Thursday, September 25, 2008, in the Hiram Hadley Conference Room in Hadley Hall on the NMSU main campus in Las Cruces, New Mexico, to discuss personnel matters in accordance with Section 10-15-1 H (2) of the New Mexico Open Meetings Act. Those Board members who were present hereby certify by roll call vote that only matters of that nature were discussed in the closed meeting.

The motion to adopt this statement, upon being put to a vote, was passed and adopted on the following recorded vote: Chair Gallagher, Vice Chair Curtis, Secretary/Treasurer Anaya, Regent Kellum, and Regent Conniff. Five Regents present having voted in favor of said motion, said motion carried, and said statement was adopted.

**6. APPROVAL OF MINUTES**

June 26, 2008

July 15, 2008

Regent Anaya moved, seconded by Regent Kellum, to approve the minutes of June 26 and July 15, 2008. The motion carried unanimously.

**7. FUTURE BOARD MEETINGS**

Approved meetings:

- Saturday, September 27, 2008, NMSU/UNM Joint BOR Meeting  
(Corbett Center, Colfax Room)  
(Aggies play against the Lobos)
- Thursday, October 30, 2008, Meeting  
Regents Room, Educational Services Center
- Friday, December 12, 2008, Meeting  
Regents Room, Educational Services Center  
(In conjunction with Commencement)

Regent Gallagher indicated that the chair of the Board of Regents, by policy, is responsible for appointing the members of the Labor Management Relations Board. The university recommends a member, the union recommends one, both entities collectively recommend the third. Regent Gallagher received a letter from AFSCME requesting that the new appointee be Anthony Avallone, replacing Mr. Charles Apodaca. Regent Gallagher, under agenda 8(a) indicated the members of the Labor Board would be Dr. Gerald Burke, Dr. Karen Becklin, and Mr. Anthony Avallone replacing Mr. Charles Apodaca.

**8. CONSENT CALENDAR (voted on by one motion, or moved to Action or Informational Items)**

- (a) Reappointment of Members to the NMSU Labor Management Relations Board  
(Board of Regents Chair, Bob Gallagher)
- (b) Approval of the NMDA Strategic Plan for 2008-2012 (Deputy Director Tom Bagwell)
- (c) RESERVED
- (d) Ratification of Employment Agreement for Assistant Swim Coach Heidi Ann Voigt
- (e) Approval of Name Change for Seed Certification Agency  
(Assistant Dean Tim Nesbitt)

- (f) Approval of El Paso Electric Easement (renewal) 91-7-2-03-089, 91-7-2-70-33, granted by Board of Regents of New Mexico State University ("Grantor"), unto El Paso Electric Company ("grantee"), located in Section 33, Township 23 South, Range 2 East, N.M.P.M., as shown on Exhibits A, B, C, D, at the Arrowhead Research Park, Las Cruces, Doña Ana, New Mexico (Director Fred Ayers)
- (g) Approval of El Paso Electric Easement 08-70-5841, granted by Board of Regents of New Mexico State University ("Grantor"), unto El Paso Electric Company ("Grantee"), located in Section 33, Township 23 South, range 2 East, N.M.P.M., known as Lot 8, Arrowhead Research Park, and as shown on Exhibit A, Las Cruces, Doña Ana County, New Mexico (Director Fred Ayers)
- (h) Approval of Lease Agreement (A-08-72) by and between the Regents of New Mexico State University on behalf of New Mexico State University at Carlsbad ("NMSU-C") and Eddy County ("County"), for county -owned building and adjacent land, located at 5307 Buena Vista, Carlsbad, Eddy County, New Mexico 88220 (Director Fred Ayers)
- (i) Approval of Amendment to the Specialized Aviation Service Operations Lease by and between the City of Las Cruces ("Lessor"), and the Regents of New Mexico State University on behalf of its Physical Science Laboratory ("Lessee), for Parcel 50, at the Las Cruces International Airport, Las Cruces, Doña Ana County, New Mexico (Director Fred Ayers)
- (j) Approval of Disposition/Deletion of Property (Senior Vice President Jennifer Taylor)
- (k) Approval to Name the Speech and Hearing Center the "Dr. Edgar R. Garrett Speech and Hearing Center"(Vice President Nick Franklin)
- (l) Approval to Name the Coaches' Offices Located in the Pan American Center Annex as the Coach George C. McCarty Office Suites (Vice President Nick Franklin)
- (m) Approval of New Mexico State University - Las Cruces - Pan American Center Video Message Board (Director Michael Rickenbaker)
- (n) RESERVED
- (o) Approval of Guidelines for Public Comment (Regent Bob Gallagher)
- (p) Approval of Doña Ana Community College's Facilities Master Plan (President Margie Huerta)
- (q) Approval of the Proposed Changes to New Mexico Administrative Code 21.17.2 "Plant Nursery Licensing and Inspection" Fees
- (r) Approval of the Golliehear Conservation Easement (Director Tom Bagwell)
- (s) Approval to Name Room 112 in Engineering Complex 1 the Hewlett Foundation Success and Professional Development Center (Vice President Nick Franklin)
- (t) Approval of El Paso Electric Easement 08-70-6364, granted by Board of Regents of New Mexico State University ("Grantor"), unto El Paso Electric Company ("Grantee"), Located in Section 33, Township 23 South, Range 2 East, N.M.P.M., Known as Lots 8 and 9, Arrowhead Research Park, and as shown on Exhibit A, Las Cruces, Doña Ana County, New Mexico (Director Fred Ayers)
- (u) Approval to Name the NMSU Golf Office Suites the "J.R. Crouch Aggie Golf Suite" (Director Nick Franklin)

Regent Anaya moved to approve the Consent Calendar as amended, seconded by Regent Kellum. The motion carried unanimously.

**9. ACTION ITEMS**

- (a) Approval of Adoption of the Annual Open Meetings Resolution and Changes to Policy 1.05.10 for Consistency (General Counsel Bruce Kite)

General Counsel Kite indicated that the New Mexico Open Meetings Act (Section 10-15-1 NMSA 1978) requires public bodies to annually determine notice requirements for its meetings. This year, modifications were proposed to the Open Meetings Resolution to continue to make it consistent with the attorney general's guidelines. It was necessary to make the policy section of the university policy manual consistent with the resolution.

Regent Anaya moved, seconded by Regent Kellum, to approve the Adoption of the Annual Open Meetings Resolution. The motion carried unanimously.

- (b) Approval of New Mexico State University - Las Cruces - Aggie Memorial Stadium Phase 2 (Director Michael Rickenbaker)

Director Rickenbaker reported there are three critical priorities identified by the department: to construct new facilities and remodel existing facilities for the women's track locker and team rooms; the women's soccer locker and team rooms; and the men's football coaches offices. The funds are coming from a 2008 state appropriation.

Regent Conniff moved, seconded by Regent Curtis, to approve the New Mexico State University-Las Cruces-Aggie Memorial Stadium Phase 2. The motion carried unanimously.

- (c) Ratification of Memorandum of Understanding between New Mexico State University and the American Federation of State County Municipal Employees Council 18, Local 2393 (Senior Vice President Jennifer Taylor)

In light of the failure of the state legislature to appropriate a compensation increase of five percent, per the contract between NMSU and AFSCME, the parties agreed to alternate terms as described in Attachment A.

Regent Curtis moved, seconded by Regent Conniff, to approve the Ratification of Memorandum of Understanding between New Mexico State University and the American Federation of State County Municipal Employees Council 18, Local 2393. The motion carried unanimously.

(d) Approval of Guidelines for Public Comment (Regent Bob Gallagher)

Regent Gallagher presented the Guidelines for Public Comment for Board approval along with changes. Individuals requesting to address the Board should do so in writing by placing their name on a sign-up sheet at the beginning of the meeting. Comments will be limited to three minutes at the discretion of the Board of Regents chair. Derogatory or personnel issues will not be allowed and there will be no responses from the Board. A moderator will assist during the comment period. Changes to the Guidelines for Public Comment will be made at the discretion of the Board of Regents.

Regent Conniff moved to approve the Guidelines for Public Comment, seconded by Regent Kellum. The motion carried unanimously.

**10. NEW MEXICO STATE UNIVERSITY PRESIDENT'S REPORT**

Interim President Cruzado gave a report on university events since the last meeting of the Board of Regents.

**11. INFORMATIONAL ITEMS**

(a) Update on NMSU's "All Things Military (ATM)" Efforts by Dr. Fred J. Rodriguez, Military Coordinator for Student Success

Vice President Gonzales introduced Dr. Fred J. Rodriguez.

Dr. Rodriguez, Military Coordinator for Student Success, presented a progress report on NMSU's efforts to expand support for members of the military and their families as a "military-friendly" university. The report included NMSU's participation in the Servicemembers Opportunity college (SOC), the on-line Army education portal (GoArmyEd), an on-line world-wide degree program catalog (DANTES), degree program delivery through distance education and on-site courses at regional military installations and a Fall 2008 on-campus education summit with regional military leaders.

(b) Enrollment Update by Senior Vice President Jennifer Taylor and Vice President Carmen Gonzales

A review of current status and trends for NMSU enrollment and student demographics, for undergraduate and graduate students, with summaries by colleges was presented. This information related to NMSU finances and is needed to qualify for growth money. The presentation concluded with plans for the current recruiting season (See attachment B)

- (c) NMSU Research: Accomplishments, Challenges, and Future Direction by Vice President Vimal Chaitanya

Research activity at NMSU continues to show growth both in terms of awards and proposal submissions through academic units compared to last year as measured by the dollar amount requested for contracts and grants. While PSL is facing some challenges in light of the downturn in funding related to Iraq operations and academic alignment, the Unmanned Aerial Vehicle (UAV) and high altitude balloon programs are growing. In order to continue to be successful in research productivity, we have placed emphasis on interdisciplinary research and activated research clusters. To implement the leap steps discussed during last year's report, we have embarked upon developing a comprehensive strategic research plan and vision for NMSU with input from all constituents and in tune with Living the Vision.

- (d) Project Update

A brief review of current major construction projects and bond issue projects system-wide (Director Michael Rickenbaker)

Director Rickenbaker gave an update on all of the activities in planning and construction across the state including the Alamogordo Academic Support Center, Health Science Center and Reidlinger addition, the Allied Technology Education Center, the Carlsbad community college roof, Allied Health University Transfer Center, the Doña Ana Community College trades facility, East Mesa Center phases, the library at the Grants campus, the renovation of O'Donnell Hall, Gardiner Hall construction, the Native American Cultural Center, the Southwest Center for Rangeland Sustainability, the Arts Complex, the Institute for Public Policy, the NMSU video message board, and the Arrowhead Research District.

## 12. REPORTS

- (a) Faculty Senate Chairperson's Report by Dr. Joe Pfeiffer

Dr. Pfeiffer reported on activities of the Faculty Senate since the last Board meeting.

- (b) Associated Students of New Mexico State University Report (ASNMSU) by Mr. Justin O'Connell

Mr. O'Connell reported on activities of the Associated Students of New Mexico State University since the last Board meeting.

- (c) Advisory Council on Administrative Policy (ACAP) by Mr. Tim Nesbitt

Mr. Nesbitt reported on activities of the Advisory Council on Administrative Policy since the last Board meeting.

**13. OTHER**

**14. ADJOURNMENT**

Regent Gallagher adjourned the meeting at 12:27 p.m.

Minutes recorded by Socorro Saenz-Lobato.

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Robert M. Gallagher, Chair  
Board of Regents

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M. Steven Anaya, Secretary/Treasurer  
Board of Regents