

MINUTES OF THE BOARD OF REGENTS  
NEW MEXICO STATE UNIVERSITY  
February 1, 2010

**1. CALL TO ORDER**

The Board of Regents of New Mexico State University met in the Hacienda Room of the Hotel Santa Fe, in Santa Fe, New Mexico, on Monday, February 1, 2010. Chair Curtis called the meeting to order at 10:00 a.m.

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|------------------------------|---|
| Regents Present              | Mr. Blake Curtis, Chair<br>Ms. Laura Conniff, Secretary/Treasurer<br>Mr. Isaac Pino, Member<br>Mr. Javier Gonzales<br>Mr. Chris Anaya   |
| Ex-officio Regents Present   | Dr. Chris Erickson<br>Mr. Travis Dulany   |
| President                    | Dr. Barbara Couture   |
| Vice President, Provost      | Jay Jordan  |
| Chair, NMSU Employee Council | Ms. Roseanne Bensley  |
| Other Presenters             | Associate Vice President Maureen Howard<br>Senior Vice President Jennifer Taylor<br>Senior Director Ricardo Rel<br>Director Fred Ayers<br>Director Michael Rickenbaker<br>Faculty Senate Chair Chris Erickson<br>Interim Dean Ken White<br>Vice President Carmen Gonzales |

**1. CALL TO ORDER**

Regent Curtis called the meeting to order at 10:00 a.m.

**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 for University Communications and Marketing Services Howard indicated there were no introductions.

- (b) Introduction of Dr. Jay Jordan, Interim Executive Vice President/Provost

Chair Curtis introduced Dr. Jay Jordan.

- (c) Introduction of Robert McNiel, Interim Chief of Staff

Chair Curtis introduced Mr. Bob McNiel.

Regent Curtis introduced Mr. Nolan Gray and thanked him for the many years he has served the university and the Board of Regents. Mr Gray is retiring after 20 years of service to NMSU.

**3. APPROVAL OF AGENDA**

Regent Anaya requested that agenda item 8(g) be moved from the Consent Calendar to Action Items. Regent Conniff requested that agenda item 8(c ) be moved from the Consent Calendar to Action Items. Regent Pino requested that agenda item 8(f) be moved from the Consent Calendar to Action Items. Regent Conniff made a motion, seconded by Regent Pino, to approve the agenda as amended. The motion carried unanimously.

**4. PUBLIC COMMENT**

Public comments were not made.

**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 8:30 a.m. on Monday, February 1, 2010, in the Canyon Room of the Hotel Santa Fe, in Santa Fe, New Mexico, to discuss personnel, legal, and real estate matters in accordance with Section 10-15-1H; Paragraphs (2), (7), and (8) 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 meetings.

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

**6. APPROVAL OF MINUTES**

December 11, 2009 and January 13, 2010

Regent Pino moved, seconded by Regent Anaya, to approve the minutes of the December 11, 2009 and January 13, 2010 meeting. The motion carried unanimously.

**7. FUTURE BOARD MEETINGS**

Approved:

- Monday, March 8, 2010; Las Cruces, NM
- Friday, May 7, 2010; Las Cruces, NM (In conjunction with Commencement)

Other: The annual meeting of the Association of Governing Boards (AGB) will be held in Champions Gate, Florida on March 19-23, 2010 at the Omni Orlando Resort.

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

- (a) Approval of Grant of Underground Utility Easement to El Paso Electric Company from the Regents of New Mexico State University, SW1/4 Section 14, Township 23 South, Range 2 East, New Mexico Principal Meridian, Doña Ana County, New Mexico (Director Fred Ayers)
- (b) Approval of Renewal of Right of Way Grant/Offer Permit between U.S. Department of the Interior, Bureau of Land Management, and the Board of Regents of New Mexico State University on behalf of KRWG for Communication Site NMNM 30757, Caballo Mountain, Sierra County, New Mexico (Director Fred Ayers)
- (c) Moved to 9(e)
- (d) Approval of Temporary Investment Report for Quarter Ended 12/31/2009 (Senior Vice President Jennifer Taylor)
- (e) Approval of Disposition/Deletion of Property (Senior Vice President Jennifer Taylor)
- (f) Moved to 9(f)
- (g) Moved to 9(g)

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

**9. ACTION ITEMS**

- (a) Approval of NMSU-Doña Ana Community College Chaparral Center (Director Michael Rickenbaker)

Director Rickenbaker gave a presentation to request approval for the NMSU-Doña Ana Community College Chaparral Center. The project is to construct the first phase of the new Chaparral Center located north of the new high school in Chaparral. The

new center will replace the temporary portables currently serving the growing areas of the county. The project will include the development of the new site, the extension of roads and utilities into the site, the construction of a new parking lot, and storm water ponding areas. The superintendent and staff of the Gadsden Independent School District have been involved in the planning process and the programs offered at the new center will compliment and enhance the classes offered at Gadsden high school. The MVEDA Board has also been involved providing information on incoming jobs and the kinds of vacancies that will be available. The large spaces will be used as computer labs, workforce development, classroom space.

- Total project cost: \$2,250,000
- Source of funds: 2005, 2006, and 2009 Local General Obligation Bonds, 2006 Revenue Bond

Regent Gonzales moved, seconded by Regent Anaya, to approve the NMSU-Doña Ana Community College Chaparral Center. The motion carried unanimously.

- (b) Approval of NMSU-Las Cruces Arts Complex Phase One (Director Michael Rickenbaker)

Director Rickenbaker presented and requested approval from the Regents for phase one of the NMSU-Las Cruces Arts Complex. The project is to construct the first phase of the new 49,000 sq. ft. Center for the Arts. The first phase project is a 500-seat state-of-the-art teaching theater with full fly loft for teaching stage craft, multi-disciplinary classrooms, rehearsal spaces, offices for faculty and staff, galleries, laboratories, and support spaces. Future phases will include moving all of the arts to this location. The Office of Business and Finance will provide assistance for the development of a business plan, for potential revenue, to the executive vice president/provost and the dean if needed, but the facility will be used primarily for academics.

- Total project cost: \$37,500,000
- Source of funds: 2007 general fund appropriation, 2008 general obligation bonds, 2009 severance tax bonds, 2010 revenue bonds, local funds, and private gifts.

Regent Conniff moved, seconded by Regent Pino, to approve the NMSU-Las Cruces Arts Complex Phase One. The motion carried unanimously.

- (c) Approval of NMSU-Las Cruces Bookstore (Director Michael Rickenbaker)

Director Rickenbaker gave a presentation to request approval for the construction of the NMSU-Las Cruces Bookstore. The project will construct the first phase of the new Jordan Street gateway to the campus as outlined in the Master Plan. The first phase will include a Barnes and Noble full-service college bookstore with café, several retail spaces along University Avenue, and office for Auxiliary Services and

the Parking Department.

The Office of Business and Finance will work closely with a consultant, the architect's office, and the ASNMSU student leadership to talk about the future plans for Corbett Center.

- Total project cost: \$14,000,000
- Source of funds: 2010 Revenue Bond

Regent Gonzales moved, seconded by Regent Pino, to approve the NMSU-Las Cruces Bookstore. The motion carried unanimously.

- (d) Approval of NMSU-Las Cruces Chamisa Village Phase Two (Director Michael Rickenbaker)

Director Rickenbaker gave a presentation to request the approval of NMSU-Las Cruces Chamisa Village Phase Two. The project is the second (and final) phase of development of student apartment housing at Chamisa Village and will provide 300 new beds in two and four bedroom apartments. The apartments will be arranged into four outdoor courtyards with communal laundry facilities. This project will fulfill the 2006 Master Plan for apartments in this area of the campus.

Regent Gonzales indicated he would like to see that the work generated by these projects on campus be dealt to local vendors. He requested policy direction be given to Bruce Kite and the facilities manager for the consideration of a procurement policy that clearly states the same. Regent Curtis referred this request to the Real Estate Committee for review and policy discussion in conjunction with discussions with President Couture and a final report to the Regents.

- Total project cost: \$25,000,000
- Source of Funds: 2010 Revenue Bond

Regent Gonzales moved, seconded by Regent Anaya, to approve the NMSU-Las Cruces Chamisa Village Phase Two. The motion carried unanimously.

- (e) Approval of Sale of 23.8281 Acres to the New Mexico Department of Transportation for the Reconfiguration of the I-10/I-25 Interchange - Project HPP-010-2 (127) 144, in Consideration of \$2,130,000 (Director Fred Ayers)

Senior Vice President Woods requested the approval to sell 23.8281 acres to the Department of transportation. The acquisition of the this acreage would provide additional right-of-way to construct new connectors between I-25 and I-10. It was recommended that \$1.2 million of income from the sale be directed as a local match for the Economic Development Administration Grant Phase Two for the infrastructure development of the Arrowhead Research Park. The sale is being accomplished consistent and in accordance with the long-term master plan in the development of the overall campus.

Regent Pino moved, seconded by Regent Anaya, to approve the sale of 23.8281 acres to the New Mexico Department of Transportation for the reconfiguration of the I-10/I-25 interchange - Project HPP-010-2 (127) 144, in consideration of \$2,130,000.

The motion to approve this item, upon being put to a vote, was passed and adopted on the following recorded vote: Chair Curtis, Secretary/Treasurer Conniff abstained due to real estate transactions she is involved in in the area, Regent Pino, and Regent Anaya. Three Regents present having voted in favor of said motion, said motion carried.

- (f) Approval of Policy 5.96, "Searches for Academic Administrators," of the NMSU Policy Manual (Faculty Senate Chair Chris Erickson)

Guidelines and procedures for a search may be found in the Search Committee Handbook, copies of which are available in departmental offices or through the Office of Institutional Equity/ADA. Faculty members shall serve on search committees for academic administrative positions. They will be nominated and elected for this specific purpose. Also, the executive vice president and provost will inform the chair of the Faculty Senate about non-academic administrative searches, and the chair may request similar faculty representation.

All academic administrative positions at the department head (or equivalent) or associate dean levels may be done externally or internally. Searches for all positions at the dean (or equivalent) level must allow external applicants. Internal candidates, including interims, are allowed to apply for any position, In all cases where external and internal candidates apply for the same position, these applicants will be treated equally. There is no assumed preference for internal applicants. The provisions of this policy do no limit the Board of Regents when negotiating a contract for interim president.

Regent Pino indicated that the last sentence of the policy does take care of the intent, which was to allow to not limit the Board of Regents when negotiating for an interim president.

Regent Pino moved, seconded by Regent Conniff, to approve Policy 5.96, "Searches for Academic Administrators," of the NMSU Policy Manual. The motion carried unanimously.

- (g) Approval to Name the Foreman Engineering Complex, Room 330 as the Dr. William C. McCarthy STEM Memorial Laboratory (Interim Dean Ken White)

Interim Dean White requested approval to name the Foreman Engineering Complex, Room 330 as the Dr. William C. McCarthy STEM Memorial Laboratory. Dr.

McCarthy was in New Mexico for several years and was a real pioneer. He came to NMSU as an undergraduate, had an automobile accident while he attended Las Cruces High School, which left him in a wheel chair. He went through the undergraduate civil engineering program, the master's program, and Ph.D. programs at NMSU. In addition to devoting himself to the program and the students in the program, Dr. McCarthy was the principal investigator on grants from the National Science Foundation totaling \$8.5 million through 2009. He was also instrumental in making the NMSU campus accessible to physically challenged persons and in the efforts to achieve ADA compliance for the campus. Dr. McCarthy unexpectedly passed away earlier in the year, while continuing to serve as Principal Investigator and Project Director for the program now named "Reaching the Pinnacle". In honor of Dr. McCarthy's many years of service to NMSU and his dedication to assisting and mentoring physically challenged students, the College of Engineering requests concurrence of the naming.

Regent Conniff moved, seconded by Regent Anaya, to approve to name the Foreman Engineering Complex, Room 330 as the Dr. William C. McCarthy STEM Memorial Laboratory. The motion carried unanimously.

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

(President Barbara Couture)

President Couture reported on the following:

- The Dennis W. Darnall was awarded to Dr. Jim Shearer
- Eleven faculty members were awarded the Donald C. Roush Excellence in Teaching Award
- Increased enrollments at each of the campuses of the NMSU system
- NMSU researchers won a \$44 million Department of Energy grant to commercialize algae into biofuels.
- NMSU is now home to one of the first super computer gateway sites
- The College of Business was awarded a grant for \$1.25 million over the next five years for the development of a principle-based ethics program
- The College of Engineering's aerospace program with 60 entering freshmen this year and another 60 expected in the fall
- The 2010 Extension In-Service Program Conference
- The award-winning Model United Nations Dinner
- NMSU-Grants and NMSU-Alamogordo were listed by Community College Week in the top five for enrollment growth in comparison to other community colleges of the same size
  
- Women's basketball's recent six-game win streak was the longest for the program since the 1993-94 season. Senior Mike Sodders earned a spot on the 2010 PING-Baseball pre-season all-American team. The track and field team earned two first place finishes.
- Searches for provost and dean positions
- Legislative issues update

## 11. INFORMATIONAL ITEMS

- (a) Enrollment Report (Dr. Carmen Gonzales, Vice President for Student Success and Dean of the College of Extended Learning)

Dr. Gonzales reported a total campus enrollment of over five percent. Undergraduate students increased by 5.71 percent and graduate students increased by 4.18 percent. The NMSU headcount is 17,056. The Alamogordo campus increased by more than ten percent; the Carlsbad campus increased by more than 15 percent; the grants campus increased by more than 19 percent, and the Doña Ana campus had an increase of ten percent.

- (b) Legislative and Budgetary Update (Senior Vice President Jennifer Taylor and Assistant Vice President for Research and Senior Director of Governmental Relations Mr. Ricardo Rel)

Senior Director Rel summarized the status of the current budget and provided the Regents with a list of all of the bills impacting higher education at NMSU.

Senior Vice President Taylor gave an update on the status of the budget. Based upon the LFC recommendation, which is the most conservative assumption as of this time, NMSU is slated in total to lose \$18 million/8.6 percent in recurring dollars, \$13 million/8.3 percent from I&G, and \$5 million/9.7 percent from RPSP. The I&G cut from FY10 pre-solvency under the LFC's recommendation, with the impact of the recommended 2% compensation reduction included, is \$15.6 million/12.5 percent for the Las Cruces campus. Each of the other campuses would be reduced under this scenario, with Grants being the lowest at .4 percent up to Carlsbad at 4.4 percent. If compared to FY10 post-solvency, without the 2% compensation reduction, the Las Cruces campus would lose \$7.9 million/6.6 percent in recurring I&G funding and all of the community colleges under that scenario would gain, because they all qualify for enrollment workload funding in FY 2011 and the Las Cruces campus did not.

Mr. Vargas provided information on the capital outlay bill and provided information on the House and Senate introduced bills. Mr. Rel and Mr. Vargas also provided a brief overview of some of the bills that had been introduced to date.

## 12. REPORTS

- (a) Faculty Senate Chairperson's Report by Dr. Chris Erickson

Dr. Erickson reported on the following:

- Request for an increase in the standard for English proficiency for foreign

- students upon entry
- Promotion and tenure scholarship
- Summer compensation policy
- Student participation in extra curricular activities while on probation

(b) Associated Students of New Mexico State University Report (ASNMSU) by Mr. Travis Dulany, ASNMSU President

Mr. Dulany reported on the following:

- Use of multi-media to inform students about tuition increases and tuition crisis

(c) NMSU Employee Council Report (ACAP) by Chair Roseanne Bensley

Ms. Bensley reported on the following:

- Future NMSU Employee Council meetings with President Couture to discuss how the council can play an important role in disbursing information

**13. OTHER**

**14. ADJOURNMENT**

Regent Curtis adjourned the meeting at 12:20 p.m.

Minutes recorded by Socorro Saenz-Lobato.

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Blake Curtis, Chair  
Board of Regents

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Laura M. Conniff, Secretary/Treasurer  
Board of Regents