

MINUTES OF THE BOARD OF REGENTS
NEW MEXICO STATE UNIVERSITY
July 29, 2009

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 Wednesday, July 29, 2009. Chair Curtis called the meeting to order at 10:22 a.m.

Regents Present	Mr. Blake Curtis, Chair Mr. Javier Gonzales, Vice Chair Ms. Laura Conniff, Secretary/Treasurer Mr. Isaac Pino, Member Mr. Chris Anaya, Member
Ex-officio Regent Present	Dr. Chris Erickson
Interim President	Dr. Manuel Pacheco
Exec. Vice President, Provost	Dr. Waded Cruzado
Regents Chief of Staff	Dr. Pat Williams
Other Presenters Present	Senior Vice President Ben Woods Associate Vice President Maureen Howard Vice President Carmen Gonzales Assistant Vice President Ricardo Rel Executive Director Nick Franklin Associate Director Steve Loring Interim Director Vicente Vargas Director Fred Ayers Director Michael Rickenbaker General Counsel Bruce Kite Dr. Bernard McNamara Dr. Tom Burton Dr. Pat Hynes Dr. Iñigo García-Bryce Dr. Neil Harvey

2. **INTRODUCTIONS**

- (a) Introduction of press, elected officials, and others by Senior Vice President Ben Woods for Maureen Howard, Associate Vice President for University Communications and Marketing Services

Mr. Woods introduced Senator Mary Kay Papen, Amanda Husson with the *Las Cruces Sun-News*, and City Councilor Dolores Connor.

3. APPROVAL OF AGENDA

Regent Conniff moved, seconded by Regent Pino, to approve the agenda.

Regent Pino requested that policy 5.96 in Consent Item 8(c) be pulled for further discussion. Regent Conniff amended her motion to reflect that policy 5.96 in agenda item 8(c) would be pulled from the Consent Calendar and moved to Action Item 9(d). The motion carried unanimously.

4. PUBLIC COMMENT

Comments were made by City Councilor Dolores Connor.

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

The Board of Regents of New Mexico State University met in Executive Session at 1:30 p.m. on Thursday, May 7, 2009, in the Hiram Hadley Conference Room on the New Mexico State University main campus in Las Cruces, New Mexico, to discuss personnel, real estate, and legal matters in accordance with Section 10-15-1H(2), (7), and (8) of the New Mexico Open Meetings Act.

The Board of Regents of New Mexico State University met in Executive Session at 12:30 p.m. on Tuesday July 28, 2009, in the small conference room at the Holy Cross Retreat House, 600 Holy Cross Road, Las Cruces, New Mexico, to discuss personnel and real estate matters in accordance with Section 10-15-1H(2) 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

Regent Pino motioned, seconded by Regent Anaya to approve the minutes of the May 8 and 19 meetings. The motion carried unanimously.

7. FUTURE BOARD MEETINGS

Approved meeting dates:

- Friday, September 25, 2009, Board of Regents meeting
- Saturday, September 26, 2009, Possible Joint Reception with UNM Board of Regents
- Thursday, October 22, 2009 (Homecoming Weekend)
- Friday, December 11, 2009 (Commencement Weekend)

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

- (a) Approval of Proposed M.A. Program in Latin American and Border Studies (Dr. Iñigo García-Bryce and Dr. Neil Harvey)
- (b) Ratification of Employment Agreements for Various Coaches (General Counsel Bruce Kite)
- (c) Annual Ratification of NMSU Policy Manual (General Counsel Bruce Kite)
- (d) Approval for the Official Naming of the Engineering Complex III Rooms 106 and 110 as the Freeport McMoran Water Quality Laboratory (Executive Director Nick Franklin)

- (e) Approval of Lease between Compass Bank, an Alabama Corporation and Steven P. Jackson, Individually, Steven Jackson, a New Mexico Limited Liability Company and Charles Williams, Trustee, Charles W. Williams Revocable Trust (“Lessor”), and Regents of New Mexico State University (“Lessee”) for the Lease and Hire of Suites 101 and 120, 244 Louisiana NE, Albuquerque, Bernalillo County, New Mexico (Director Fred Ayers)
- (f) Approval of .009 Acre RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT, NMNM 121047, to Construct, Operate, Maintain, and Terminate an Existing Sign (20' x20' area) on the BLM Smokey Circle Parcel on Public Lands Described as Section 24, SE1/4SE/4,T.11N., R.10W., N.M.P.M. (New Mexico Principal Meridian), New Mexico (Director Fred Ayers)
- (g) Ratification of Acceptance of Right-of-Way Perpetual Grant NMNM 121417, on Public Lands Described as Section 30, W1/2SW1/4, T.23S.,R.1E., N.M.P.M. (New Mexico Principal Meridian), Doña Ana County, New Mexico (Director Fred Ayers)
- (h) Approval of Non-Exclusive Right-of-Way Easement Given by and between the Regents of New Mexico State University (NMSU) and the San Juan Pueblo (Grantee), Lying and Being Situated in a Portion of Tract 1 of the Sebastian Martin Grant, T.22N., R.8E., N.M.P.M. (New Mexico Principal Meridian) and in a Portion Exception 217, P.C. 114, P.1, in a Portion of Exception 75, Private Claim 51, Parcel 5, in a Portion of Exception 90, P.C. 55, P.1, and a Portion of 86, P.C. 54, P.1, and in a Portion of Exception 71, P.C. 51, P.!, Section 35, Within the San Juan Pueblo Grant, T.22N., R.8E., N.M.P.M. (New Mexico Principal Meridian), County of Rio Arriba, State of New Mexico (Director Fred Ayers)
- (i) Approval of Parking Lot 33 Improvements (Director Michael Rickenbaker)
- (j) RESERVED
- (k) Approval of Disposition/Deletion of Property (Senior Vice President Jennifer Taylor)
- (l) Approval of Temporary Investment Report for Quarter Ended June 30, 2009 (Senior Vice President Jennifer Taylor)
- (m) Approval of Resolution, Notification, and Certification Regarding Severance Tax Bonds, Re-authorization 2009 (SB443) (Senior Vice President Jennifer Taylor)
- (n) Approval of Doña Ana Community College Trades Center Addition: \$745,000 (Director Michael Rickenbaker)

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

9. ACTION ITEMS

- (a) Approval of Purchase Option Agreement, for purchase of a tract of land situated in the Town of Hatch, Doña Ana County, New Mexico, being part of Block 13, of the Clapps Addition to the Town of Hatch, filed March 2, 1911, in Book 4, Page 32, Doña Ana County records, and being U.S.R.S. Tract G1-96, in Section 9, T.19S., R.3W., N.M.P.M. (New Mexico Principal Meridian) of U.S.R.S. Surveys, more commonly known as northeast corner of Main Street and Hill Street, for establishment of a community college center. (Senior Vice President Ben Woods and Director Fred Ayers)

Senior Vice President Woods requested approval for the acquisition of 2.731 acres of land in Hatch, NM for use by the Doña Ana Community College to meet the needs of that community. NMSU has funding to acquire the land for the desired facility. A five Thousand (\$5,000.00) Dollar Option Consideration is to be paid by NMSU to the seller. The term of the Purchase Option Agreement is twelve (12) months, commencing on the date of the execution of the Purchase Option Agreement, with the option to extend the Purchase Option Agreement an additional six (6) months by payment of an additional Five Thousand (\$5,000.00) Dollars of Option Consideration, thirty (30) days in advance of the expiration of the initial term of the Purchase Option Agreement. The Option Consideration shall be applied toward the purchase price if the purchase is

consummated. If the purchase fails to be consummated, the Option Consideration shall be refunded to NMSU. Purchase price of the option property shall be One Hundred and Ten Thousand (\$110,000) Dollars.

Regent Conniff moved, seconded by Regent Pino, to approve Purchase Option Agreement, for purchase of a tract of land situated in the Town of Hatch, Doña Ana County, New Mexico, being part of Block 13, of the Clapps Addition to the Town of Hatch, filed March 2, 1911, in Book 4, Page 32, Doña Ana County records, and being U.S.R.S. Tract G1-96, in Section 9, T.19S., R.3W., N.M.P.M. (New Mexico Principal Meridian) of U.S.R.S. Surveys, more commonly known as northeast corner of Main Street and Hill Street, for establishment of a community college center. The motion carried unanimously.

- (b) Approval of New/Expanded Research, Public Service, Statewide Instruction and General, and Other Line Item Project Requests for FY 2010-2011 (Associate Vice President Angela Throneberry, Assistant Vice President Ricardo Rel, and Budget Director Anna Price for Senior Vice President Jennifer Taylor)

Associate Vice President Throneberry gave a presentation and requested the approval of the New/Expanded Research and Public Service Projects for fiscal year 2010-2011 which were submitted by the University Budget Committee and approved by the interim president. The project requests totaled \$5,468,000 for all campuses.

Regent Conniff moved, seconded by Regent Pino, to approve the New/Expanded Research, Public Service, Statewide Instruction and General, and other Line item Project Requests for FY 2010-2011.

- (c) Update/Adoption of Master Plan Revisions (Senior Vice President Ben Woods and Director Michael Rickenbaker)

Senior Vice President Woods gave an overview of the progress and status of current, recent-past, and near-future construction projects in relation to the Master Plan. The possible adoption of Master Plan additions and/or revisions were reviewed also. Director Rickenbaker gave a slide presentation on the various projects of the Master Plan.

Regent Conniff moved, seconded by Regent Pino, to approve the Update/Adoption of Master Plan Revisions. The motion carried unanimously.

- (d) Approval of Policy 5.96 from Agenda Item 8(c) Searches for Academic Administrators

Regent Pino expressed concerns with Agenda Item 8(c), Policy 5.96, of the NMSU Policy Manual regarding searches for academic administrators. He moved that it be tabled until the September 25 Board meeting, to allow the opportunity for the Board to understand the proposed language and what is trying to be accomplished. Regent Conniff seconded the motion. The motion carried unanimously.

10. NEW MEXICO STATE UNIVERSITY PRESIDENT'S REPORT

(Interim President Manuel Pacheco)

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

11. INFORMATIONAL ITEMS

- (a) Update on New Mexico NASA EPSCoR BY Director Pat Hynes

Dr. Pat Hynes gave a slide presentation on the purpose of the New Mexico NASA EPSCoR (Experimental Program to Stimulate Competitive Research) program, which is to build the core competitive research strength in New Mexico. The additional purpose of the program is to grow technology development methods and activities for the solution of scientific and technical problems of importance to NASA. New Mexico NASA EPSCoR focuses on collaborative activities and relationships to develop long-term, self-sustaining, nationally-competitive capabilities in space and aerospace-related research. These capabilities, in turn, contribute to New Mexico's economic viability and expand the nation's base for aerospace research and development. The NASA EPSCoR RID Program (Research Infrastructure Development) awards research funds to faculty for up to \$50,000 to stimulate research programs and prepare them for larger funding opportunities.

- (b) Update on Year of Sustainability (Associate Director Steve Loring)

Associate Director Loring gave an overview of the progress accomplished toward goals for the Year of Sustainability, status of Presidents Climate Commitment, definition of sustainability, and future activities.

- (c) Enrollment Report by Vice President Carmen Gonzales

Vice President Gonzales gave a presentation on the current NMSU enrollment and student demographics for undergraduate and graduate students with prior year point-in-time comparisons. The presentation concluded with upcoming recruitment cycle initiatives, changes in scholarship options, and other enrollment issues.

- (d) Space and Aerospace Research Update by Drs. Bernard McNamara and Tom Burton for Vice President Vimal Chaitanya

Dr. McNamara gave a presentation on the headquarters of the National Solar Observatory (NSO) currently located at Sunspot, NM. Over the next few years, NSO will consolidate its scientific and engineering staff to a university campus. With the support of UNM and NMT, NMSU is positioning itself to serve as its host university. NSO's research interests are broad, ranging from investigations of the internal structure and dynamics of the Sun to space weather. About 63 world-class scientists and engineers (all supported by federal funding) would come to campus. The number of high paying jobs added to southern New Mexico would be about 120. This addition would dramatically increase the national and international reputation of NMSU and would provide synergies with Los Alamos National Laboratory, Sandia National Laboratory, the Air Force Research Laboratory, the New Mexico Supercomputer facility, and Spaceport America.

Dr. Burton reported on the first NASA EPSCoR (Experimental Program to Stimulate Competitive Research) grant in New Mexico for the Mechanical and Aerospace Engineering Department. The grant was awarded to develop methods for structural health monitoring (SHM) and self-healing materials. A strong SHM collaboration has been developed with the world class group of SHM researchers at Los Alamos National Lab. A research group led by Nancy Chanover in Astronomy was awarded NMSU's second NASA EPSCoR grant to develop space exploration instrumentation for in situ organic detection. Significant DoD, NSF and other funding has been awarded for space and aerospace-related research. The new Aerospace Engineering program at NMSU will benefit from and will complement these competitive research programs.

12. REPORTS

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

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

- (b) Associated Students of New Mexico State University Report by Mr. David Williams for Mr. Travis Dulany

Mr. Williams reported on activities of ASNMSU since the last Board meeting.

- (c) Advisory Council on Administrative Policy (ACAP) Report by Ms. Kelly Brooks

Ms. Brooks reported on activities of ACAP since the last Board meeting.

13. OTHER

14. ADJOURNMENT

Regent Curtis adjourned the meeting at 12.55 p.m.