

EASTERN NEW MEXICO UNIVERSITY
Board of Regents Meeting
Eastern New Mexico University
Administration Building – Regents Room
April 19, 2019 – 9:30 a.m.

CALL TO ORDER

Regent President Edwin Tatum called the meeting to order at 9:30 a.m. and declared a quorum. Regents Edwin Tatum, Terry Othick, Joseph Gergel, Dan Patterson and Lance Pyle were present.

Roll call: Regent Tatum – Yes; Regent Othick – Yes; Regent Gergel – Yes; Regent Patterson – Yes; Regent Pyle – Yes

APPROVE THE AGENDA

Regent Tatum moved to approve agenda as presented. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.

APPROVAL OF MINUTES

Regent Pyle moved to approve the minutes of March 29, 2019 as presented. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.

REPORT FROM THE REGENT PRESIDENT

President Edwin Tatum thanked everyone for their attendance on this beautiful Good Friday.

REPORT FROM THE ENMU-ROSWELL PRESIDENT

Dr. Shawn Powell thanked the Regents for their participation and support in the ENMU-Roswell Foundation golf tournament. He reported on Legislative funding that will provide for various projects including \$1.2 million to replace an electrical line that dates back to Walker Airforce Base in the 1960's.

Dr. Powell reported on upcoming events, including the May 10, 2019 Board of Regents meeting being held on their campus and also the HED Capital Outlay meetings which will take place in July. Also, he commented on several open positions which includes the two key positions of vice president for Business Affairs and chief flight instructor.

REPORT FROM THE ENMU-RUIDOSO PRESIDENT

Dr. Ryan Carstens said that due to the high attendance, commencement will be moved from the Spencer Theatre to the Inn of the Mountain Gods which will allow for up to 800 seats. Native American graduates have been encouraged to wear their traditional garb. Prior to commencement, they will host a prime rib dinner before commencement and the Regents and stage party are welcome.

Dr. Carstens reported that the AMI fundraiser will take place June 29-30 in Lincoln, NM and Hank Hargis and his band (Two Shots Down) will be playing at this event.

Dr. Carstens thanked Dr. Elwell for his work at the legislative session. ENMU-Ruidoso will receive \$436K for their roof and retaining wall and an RFP will be issued with the hope to begin work in June.

REPORT FROM ENMU CHANCELLOR

Dr. Jeff Elwell reported that in terms of the Legislative Session, ENMU had a good year and was the only school that had no line-item vetoes. He attributed this success to our Regents, legislators and other university presidents working together.

Dr. Elwell said that overall, higher education did well in terms of funding however more than half of the funding for public education will go toward the Yazzie lawsuit. Of the \$6.2 million ENMU will receive, \$2.4 million will be recurring both for appropriation and compensation increases. Although the Governor mandated a 4% salary increase, we will only receive 63% funding for this purpose. ENMU will contribute \$430K toward this increase and will not increase tuition to accomplish this raise. Compensation increases will take affect on July 1, 2019.

Dr. Elwell stated that we are currently looking to start an RFP for the Greyhound Arena roof repairs. Also, we are finishing up the athletic calendar and all are invited to attend an awards presentation at 2:30 p.m. today at the softball fields to recognizing our women athlete's highest GPA within the Lone Star Conference overall. Last year, our men received the Balfour Award for highest GPA within the conference.

BUSINESS MATTERS

Consent Agenda

1. Annual Authorization of Open Meeting Act
2. Respiratory Therapy Course Fees, Roswell
3. Special Services Fees, Roswell
4. Aviation Maintenance Technology Fees, Roswell
5. Change Emergency Medical Services Fee, Roswell
6. ENMU-Roswell 2019-2020 Academic Calendar
7. Tenure Approved Faculty, Roswell
8. Presentation of NISOD Awards, Roswell
9. Fee Change for Specified Courses, Ruidoso
10. Recommended Flexible Tuition for Workforce Education, Ruidoso
11. Spring 2019 Graduation List, Portales
12. Spring 2019 Graduation List, Roswell
13. Spring 2019 Graduation List, Ruidoso

Regent Othick moved to approve the consent agenda as presented. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.

Other Items

1. Emeritus Status for Dr. Tom Brown, Dr. Romelia Hurtado de Vivas, Ms. Janeice Scarbrough, Dr. Dale Streeter and Dr. Patricia Whitney, Portales (Dr. Jamie Laurenz, Action)
Dr. Jamie Laurenz introduced Dr. Tom Brown, professor of computer science. He thanked Dr. Brown for his willingness to serve as interim department chair as needed and for his outstanding service to the university. Dr. Brown thanked the university for a great twenty years and stated that he plans to move to Lubbock, TX to join his wife and work with her in her real estate ventures.

Regent Tatum moved to approve the Emeritus status of Dr. Tom Brown as presented. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.

Dr. Laurenz introduced Dr. Romelia Hurtado de Vivas, associate professor of bilingual education. He thanked her for her excellence in advising and instruction and for the many

years she has dedicated herself to the university. Dr. Hurtado thanked the Board of Regents, university administrators and colleagues for this recognition and said she plans to do a great deal of traveling in her retirement.

Regent Pyle moved to approve the Emerita status of Dr. Romelia Hurtado de Vivas as presented. Regent Gergel seconded the motion. Vote: 5-0-0. Motion approved.

Dr. Laurenz said that Ms. Janeice Scarbrough, professor of theatre has expressed her intent to retire. Although she was unable to attend this meeting, he wanted to recognize her valuable service to the college and department.

Regent Patterson moved to approve the Emerita status of Ms. Janeice Scarbrough as presented. Regent Pyle seconded the motion. Vote: 5-0-0. Motion approved.

Dr. Laurenz introduced Dr. Dale Streeter, associate professor of history. He thanked Dr. Streeter for his commitment to excellence and scholarly activity. Dr. Streeter thanked the Board of Regents and the university for the most productive years of his career and said that he and his wife would be relocating to Oregon in their retirement.

Regent Gergel moved to approve the Emeritus status of Dr. Dale Streeter as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

Dr. Laurenz introduced Dr. Patricia Whitney, professor of reading and literacy. He thanked her for not only her excellence in advising and instruction but also for her willingness to serve on numerous college and department committees.

Regent Pyle moved to approve the Emerita status of Dr. Patricia Whitney as presented. Regent Gergel seconded the motion. Vote: 5-0-0. Motion approved.

2. Capital Projects Plan, Roswell (Dr. Shawn Powell, Action)

Dr. Powell presented a proposal for capital projects to begin in the immediate future.

- Replacement of electrical line through campus, approximately \$1.2 million
- Remodel of the automotive and welding facility, approximately \$4 million
- Demolition and new construction of a Physical Plant facility, approximately \$4 million
- Demolition of old residence halls, approximately \$1 million
- Campus-wide infrastructure, estimated \$3 million.

Dr. Powell discussed the replacement of the electrical lines and said that Excel would be replacing lines on the Walker Air Force Base area but ENMU-Roswell would be required to contract their own company for this work.

Regent Patterson moved to approve the Capital Projects Plan, Roswell as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

3. Budget Adjust Request, Roswell (Dr. Shawn Powell, Action)

Mr. Scott Smart presented the budget adjustment request for ENMU-Roswell to reflect actual expenditures. He explained one major deviation from the budget was the loss of the Youth

Challenge group eating at the dining facility on campus which caused an approximate \$400K decrease in income. Negotiations are taking place to bring this group back onto campus for meals. Another consideration is to have the Early College/High School group use the dining facility for their food service needs. Regent Pyle asked for future updates on this matter.

Regent Pyle moved to approve the Budget Adjustment Request for 2018-2019, Roswell as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

4. Adoption of Operating Budget 2019-2020, Roswell (Dr. Shawn Powell, Action)

Mr. Scott Smart introduced the proposed budget for the next academic year stating that the mandated compensation increase is included. The salary increase will require a \$250K contribution from the institution and \$612k will come from the state.

Mr. Smart stated that this proposed budget will allow for a future surplus of \$1.3 million.

Regent Patterson moved to approve the Operating Budget for 2018-2019, Roswell as presented. Regent Gergel seconded the motion. Vote: 5-0-0. Motion approved.

5. Budget Adjustment Request for 2018-2019, Portales (Mr. Scott Smart, Action)

Mr. Smart reported that the budget for Instruction and General revenue decreased by \$978K which is related to the underperformance of tuition and fee revenues. Also, student financial aid budget increased by \$500K in correlation with the lottery scholarship projection.

Mr. Smart stated that capital outlay revenues increased by \$900K for the approximate cost of replacing the roof at Greyhound Arena.

Ms. Carol Fletcher, Business Affairs controller, added that they must estimate for unexpected expenses, therefore this has been built into the budget proposal.

Regent Pyle moved to approve the Budget Adjustment Request for 2018-2019, Portales as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

6. Adoption of Operating Budget 2019-2020, Portales (Mr. Scott Smart, Action)

Mr. Smart introduced the operating budget proposal for Portales and stated that with the exception of a \$240K increase in funding for Athletics, everything else is reflected on instruction. Mr. Smart stated that the previous 4% tuition and fee increase approval will allow for a net increase of \$600K if enrollment remains flat.

Mr. Smart remarked that the greatest increase in expenses is related to the mandated 4% compensation increase. The state will contribute of \$830K and approximately \$430K will come from the institution.

Mr. Smart said that this is a balanced budget and is supported by recurring revenues. He estimated that surplus revenues would be around \$1.3 million.

Regent Patterson moved to approve the Operating Budget for 2019-2020, Portales as presented. Regent Pyle moved to amend the motion with no increase to fees, leaving the

tuition increase of 4% intact. In addition, Regent Gergel added to amend to cut student fees to 2%.

Regent Othick recommended deferring this decision until the next time tuition and fees are brought before the board (December). Regent Pyle stated that he thinks fees need to be kept as low as possible and would like to separate the increase of tuition from the increase of fees. Regent Patterson affirmed that this would be looked at closely at the end of the year and thinks a 2% or 0% increase in fees might be in order.

Regent Pyle rescinded his amendment to the motion based on discussion among the Regents.

Regent Patterson moved to approve the Operating Budget for 2019-2020 as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

Compensation Proposal, Portales (Mr. Scott Smart, Action)

Mr. Smart remarked that this is not a system-wide proposal and pertains only to the Portales campus. This proposed compensation increase is in response to the mandate for a 4% salary increase for all employees hired before January 1, 2019. The state will provide \$838K for this increase and the university will add the necessary \$430K to cover this raise for its employees.

Regent Pyle moved to approve the Compensation Proposal, Portales as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

7. Adoption of Operating Budget 2019-2020, Ruidoso (Dr. Ryan Carstens, Action)

Dr. Carstens said he is proposing a balanced budget recommendation. He noted an increase in state appropriations and a slight increase in local tax revenue. In addition, he proposed an increase in tuition and fees (course specific fees and unbundled fees) and an adjustment to capital outlay for the College Nexus remodel project.

Dr. Carstens said that they will respond to the 4% salary increase with either a \$1,200 raise or the 4% (whichever is higher).

Regent Pyle moved to approve the Operating Budget, Ruidoso as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

8. Budget Adjustment Request, Ruidoso (Dr. Ryan Carstens, Action)

Dr. Carstens said that there is a revenue adjustment in tuition and adjustments in spending from Instruction and General. He also said they would move funds from reserves for capital outlay projects.

Regent Pyle moved to approve the Budget Adjustment Request, Ruidoso as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

9. Tuition Adjustment for 2019-2020, Ruidoso (Dr. Ryan Carstens, Action)

Dr. Carstens said he thought it would be necessary to increase tuition to assist in paying for building remodels. He said he met with students for their input and it was agreed to a tuition

increase from \$45 to \$50 across the board. This increase assumption has been built into the budget proposal.

Regent Pyle moved to approve the Tuition Adjustment request for 2019-2020, Ruidoso as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

10. Athletic Issues, Portales (Dr. Jeff Elwell, Information Only)

Dr. Elwell said that in response to gender equity issues and the request for funds within Athletics he and Dr. Waggoner, ENMU Athletic Director, have been considering compliance options. He said the question of eliminating a male sport or adding a female sport has been looked at as well as roster management. It has been determined that we cannot eliminate a male sport because of the affect on enrollment.

Dr. Elwell stated that he has been working with the coaches and athletic director to develop agreeable roster management goals. He provided a handout with these proposed changes. In addition, Dr. Elwell commented on the process for adding new sports teams. Under consideration is the addition of women's golf and women's beach volleyball.

In closing, Dr. Elwell noted that 75% of sports programs across the country are out of balance, but the question is, are they addressing these issues and making progress?

11. Amendments to Policies, System (Dr. Patrice Caldwell, Action)

Dr. Patrice Caldwell said that the Intellectual Property policy is the product of faculty, staff and student efforts and is covered by patent law. This policy in affect, protects the creation and discoveries of students, faculty and staff and covers such things as literary works, films, music, etc. She said that this policy has been rewritten by a faculty committee and both Roswell and Ruidoso have participated in this process.

Dr. Caldwell touched on policies 40-3 and 40-5 and said they have been revised to reflect system language. Policy 40-9 has been revised to include Roswell and Ruidoso and 40-13 now also includes language to cover all ENMU campuses.

Lastly, Dr. Caldwell said that policy 70-6 regarding the University Post Office has been revised to reflect an updated list of services offered.

Regent Pyle moved to approve the Amendments to Policies as presented. Regent Gergel seconded the motion. Vote: 5-0-0. Motion approved.

REGENT MATTERS

1. Regent Oversight of Procurement

Dr. Patrice Caldwell gave overview of what is covered in the procurement policy and explained that procurement code defines the legal process we abide by to purchase goods and services. She clarified that an RFP is written for anything over \$60K and this goes out for bid.

Dr. Caldwell said that proposals for new facilities must be approved in the five-year strategic plan and a presentation is made to the HED Capital Projects Committee. If approved, this item is presented in the Bond Election. Further clarification was provided for the use of the state purchasing agency (CES) and also the use of sole source purchasing, which must be approved by our Chief Purchasing Officer.

Dr. Caldwell thanked Jessica Small, Internal Auditor for her work on the Procurement Code Exemptions Audit which fueled discussion on policy 55-1. Recent revisions to this policy removed the requirements for Regents to approve purchases at or above \$250K. Also, all contracts in excess of \$500K must be approved by the Board of Regents.

2. Renewable Energy Resolution

Regent Dan Patterson said that this resolution is a follow-up as to where the institution is going in terms of educational programs to support renewable energy. This resolution is meant to formalize this commitment and give the university initiative to move forward.

***Regent Patterson moved to approve the Renewable Energy Resolution as presented.
Regent Pyle seconded the motion. Vote: 5-0-0. Motion approved.***

3. President's Residence

Regent Terry Othick said that the Board of Regents has made the decision to move forward with plans for the president's residence. He said that mold and asbestos have been a concern and further noted that operational funds and student fees will not be used for this project. During the recent legislative session, several legislators heard the need of our campus and agreed with what was proposed. We have since been notified that the Governor has signed this bill and the Board of Regents will now begin the process to build both a private residence as well as a space for hosting university events. The intent is to enhance the performance of the University for the next 50 years.

Regent Othick read the follow motion:

President Tatum and members of the Board, I would like to recommend that the ENMU Board of Regents begin the process to construct a new University House that will serve as both the private residence for the ENMU President and his or her family and include a public space for the purpose of hosting University meetings and events for alumni, donors, faculty, staff and students, administrators and other guests of the University. It is envisioned that the University House will augment and enhance the mission of the University for the next fifty years.

Therefore, Mr. President and Members of the Board, with your permission, I would like to formally introduce a motion:

“The ENMU Procurement Division, on behalf of the board of Regents at Eastern New Mexico University, shall develop and issue a formal Request for Proposal for sealed competitive proposals for Architectural/Engineering (A&E) Services for design of the ENMU University House on the campus of ENMU, located in Portales, New Mexico. The target timeline for issuing this RFP will be May 6, 2019.”

Regent Patterson moved to approve the initiative to move forward with the President's Residence as presented. Regent Pyle seconded the motion. Vote: 5-0-0. Motion approved.

4. Recruitment Initiatives, Portales

Mr. Cody Spitz reported on current recruiting efforts including RaiseMe, EMAS, transfer school visits and the virtual tour. He said that NACAC Fairs have been attended in Denver and Phoenix and school visits have been made down the I25 corridor. In addition, ACT names have been purchased for potential students with the Texas 135 waiver. Mr. Spitz said that the virtual tour is getting about 5-10 prospects per week and has 6,453 online visitors.

5. Retention Initiatives, Portales

Ms. Betsy Chavez gave an overview of methods used during the school year to maintain contact with students and ensure their success throughout the semester. Ms. Chaves stressed the importance of the early alerts that are sent to students, advisors and Student Support Services with the intent of giving additional help to students in need or in crisis. She said that grades are monitored and students receive calls and emails to see if they are in need of academic assistance.

Ms. Chaves listed several support services provided to our students, including: The Advising Center, The Writing Center, Counseling and Testing Services, just to list a few.

6. ENMU-Portales Solar Energy Procurement

Mr. Smart provided the Regents with a diagram from Bernhard Energy that shows the \$7.2 million project for a 6 MW solar array to be located near the Zeta House with transmission lines going behind Eddy Hall. The estimated cost to run these transmission lines are at \$250K. After 30 years, it appears that there would be no money savings due to the tax credits we are already receiving. Mr. Smart further noted that if we manage this project ourselves and forgo a contractor (who must have a profit objective) we are still not able to make this project cash-flow positive

EXECUTIVE SESSION

Regent Patterson moved to enter executive session at 2:49 p.m. to discuss three items pertaining to threatened or pending litigation involving the University pursuant to Section 10-15-1(H)(7), NMSA (1978) and two limited personnel matter pursuant to Section 10-15-1(H)(2), NMSA (1978). Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.

Roll call: Regent Tatum – Yes; Regent Othick – Yes; Regent Gergel – Yes; Regent Patterson – Yes; Regent Pyle – Yes.

Regent Tatum moved to return to open session at 5:25 p.m. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.

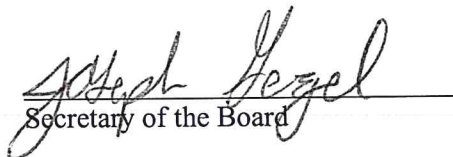
Regent Tatum reported that the Regents discussed three items pertaining to threatened or pending litigation involving the university pursuant to Section 10-15-1(H)(7), NMSA (1978) and two limited personnel matter pursuant to Section 10-15-1(H)(2), NMSA (1978). No action was taken.

ADJOURNMENT

*Regent Othick moved to adjourn the meeting at 5:26 p.m. Regent Pyle seconded the motion.
Vote: 5-0-0. Motion approved.*



President of the Board



Secretary of the Board

*Minutes recorded and transcribed by Karen Van Ruiten
Executive Secretary to the President and Board of Regents*