

**EASTERN NEW MEXICO UNIVERSITY**  
**Board of Regents Meeting**  
**Eastern New Mexico University - Portales**  
**Administration Building – Regents Room**  
**June 1, 2019 – 1:00 p.m.**

**CALL TO ORDER**

Regent President Edwin Tatum called the meeting to order at 1:05 p.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 Patterson moved to amend the agenda by moving item 3 under Regent Matters to the Open Meeting which will take place after Executive Session. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.*

*Regent Othick moved to approve the agenda as amended. Regent Patterson Seconded the motion. Vote: 5-0-0. Motion approved.*

**APPROVAL OF MINUTES**

*Regent Pyle moved to approve the minutes of May 10, 2019, as presented. Regent Gergel seconded the motion. Vote: 5-0-0. Motion approved.*

**REPORT FROM THE REGENT PRESIDENT**

President Edwin Tatum welcomed everyone to the meeting and asked that guests be recognized. Mr. and Mrs. Joey Gergel of Rio Rancho, New Mexico were introduced as the parents of Regent Joseph Gergel. In addition, Hannah Stout and Kaitlyn Blazer were introduced as new student body representatives.

**REPORT FROM THE ENMU-ROSWELL PRESIDENT**

Dr. Shawn Powell said that there are three Community College Board seats up for election (District 1 - Mireya Trujillo; District 4 – Ralph Fresquez; and District 5 – Clay Avery). They are working with the County Clerk's office to insure language is correct for the November 2019 ballot. These three board members will be asked if they would like to run again for these positions. Filing date is August 2, 2019 and are 4-year terms.

Dr. Powell gave a construction project update and stated that the dormitory demolition plans are in place and the RFP is being reviewed by legal counsel. Asbestos removal will take place and everyone will be made aware of the requirements. Also, they are working with the contractor for specifications for the new electrical line. This RFP will be in place in July. The auto-welding and physical plant building project is ready to move forward and they will be meeting with the architects and construction firm again soon. Asbestos has been discovered in the auto welding building and realize that abatement is not in the RFP. It is likely that the removal costs will come out-of-pocket. Furthermore, they will begin looking for a rental property to relocate these services while work is taking place. It is foreseeable that this project may take a year to complete.

Dr. Powell reported that they will begin taking applications for the vice president for Business Affairs position and will also be looking for an interim for the vice president of Academic Affairs. A national search will begin this fall with the goal of having someone in place by next fall.

Dr. Powell said that he attended a recent presentation by Education Secretary O'Neill and she mentioned that the ENMU-Roswell Aviation programs may be identified a center for excellence. They will be working with her office as well as the Governor's office to help move this forward.

#### **REPORT FROM THE ENMU-RUIDOSO PRESIDENT**

Dr. Ryan Carstens said that they have two community college board positions up for election and a possible third position in the near future. The chair and longtime member, Lynn Willard has resigned as well as Kimberly Smith. Former employee, Marla Romero was sworn in as a member at the last meeting and another community member has been identified as a possible replacement.

Dr. Carstens gave a construction update and said he is working to upload the final documents that will fund phase three of the Nexus project. They will hold a citizen's advisory meeting to discuss the vision of the institution and gain feedback from the community. The goal is to have a proposal written by July 18 and a decision will be made as to whether or not they will proceed with the bond election.

Dr. Carstens said that he is reviewing candidate profiles for the vice president of Academic Affairs position and hopes to have a person in place by the fall semester.

#### **REPORT FROM ENMU CHANCELLOR**

Dr. Jeff Elwell said that ENMU-Portales held two spring commencement ceremonies necessitated by the increasing number of graduates. Based on numbers reported from the Department of Public Safety, we would have been at 120% capacity had we had one ceremony. The report to LFC states that 1,386 degrees have been awarded this year, which is a new high.

Dr. Elwell gave an enrollment update and said that he receives a weekly report at midnight each Sunday. Currently we have 240 new freshmen compared to 158 at this time last year. Last year we were down 65 first-time freshmen students. Sophomores are down by 39 (343 from 382) students and Juniors are up by 7 (71 from 62). We are up nearly 800 credit hours and with the headcount and revenue component, this translates into dollars for the university. Graduate students are up by 31 (571 from 540). Retention is holding equal to last year. Non-degree undergrads are down by 158 students, which include our faculty and staff members who participate in wellness courses. Overall, headcount is down by 2% and credit hours are up 2%.

Dr. Elwell reported that there are two alumni events on the summer calendar. The Alumni and Friends Baseball game will be held June 15 at the Amarillo Ballpark and the second annual Alumni Day at Isotopes Park in Albuquerque will be on July 27. Discounted tickets are available for both of these events.

Dr. Elwell stated that ENMU-Portales hosted New Mexico Boys State this week with 73 participants from around the state. Each participant was given a \$1000 scholarship certificate and will be honored upon acceptance and enrollment. New Mexico Girls State moved in yesterday and the banquet will take place Thursday evening. These two groups consist of high school juniors who are interested in government. Each participant will receive three college credit hours for their participation.



Dr. Elwell reported that the Golden Student Success Center received Leed Gold Certification from the U.S. Green Building Council. It was noted that very few buildings achieve this rating and is due, in part to the water savings, air quality and efficient energy usage in this newly refurbished building.

Dr. Elwell said that there are several Siberian Elm trees on campus that are well past their life expectancy and are losing limbs during high winds. Some of these limbs are in excess of 300 lbs. and have landed in the quadrangle which poses a risk to people, pets, and property. Mr. Charles Stephens of Cut-it-Right Tree Service and Landscaping, was brought in to examine the state of these trees and reported that they have exceeded their 60-year life expectancy and are hollow and rotten in the center. Dr. Elwell stated that these trees were planted sometime around 1936 and although regretful to see them removed, must do so in light of the danger they present.

## **BUSINESS MATTERS**

### **Consent Agenda**

1. Addendum #2 to Spring 2019 Graduation List, Portales
2. Kosa Award Recipients, Roswell
3. Automotive Technology Award Change, Roswell
4. Automotive Technology Certificate Deactivation, Roswell
5. Commercial Driver's License Fees, Roswell
6. Medical Coding Fees, Roswell
7. Pharmacy Technician Fees, Roswell
8. Respiratory Therapy Fees, Roswell

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

### **Other Items**

1. Greyhound Connection Mentoring Program, Portales (Dr. Jeff Elwell and Ms. Marisa Garduno DaSilva, Information Only)  
Dr. Elwell asked that this item be tabled until the September meeting as the presenter is not available due to illness.
2. Operating Agreement Renewal, Roswell (Dr. Shawn Powell, Action)  
Dr. Powell said that the presentation given at the May 10, 2019 has now been reviewed by legal counsel and is now ready for approval by the Board of Regents.

*Regent Pyle moved to approve Operating Agreement Renewal for ENMU-Roswell as presented. Regent Gergel seconded the motion. Vote: 5-0-0. Motion approved.*

3. 2019 – 2024 Strategic Plan, Roswell (Dr. Shawn Powell, Action)  
Dr. Powell reported that this Strategic Plan has been reviewed and approved by the Community College Board and is now ready for approval by the Board of Regents.

*Regent Pyle moved to approve the 2019 – 2024 Strategic Plan, Roswell as presented. Regent Gergel seconded the motion. Vote: 5-0-0. Motion approved.*

4. 2020 General Obligation Bond Presentation for NMHED Capital Outlay Hearing, Rowell (Dr. Shawn Powell, Action)

Dr. Powell said that there will be a hearing with HED on July 24 for the approval of their General Obligation Bond election proposal. Priorities for this proposal have been derived by their architect and include the replacement of sanitary systems and restrooms in two of their facilities. They will ask for \$3 million for these projects and have made note that the current systems have been in place since the installation of Walker Air Force Base in the 1940's. This proposal was developed from their Facility Master Plan. Dr. Powell asked for a motion to proceed.

***Regent Pyle moved to approve the 2020 General Obligation Bond Presentation for NMHED Capital Outlay Hearing as presented. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.***

5. Approval of Updated 5-year Capital Projects Plan, Ruidoso (Dr. Ryan Carstens, Action)

Dr. Ryan Carstens gave an overview of items listed in 5-year plan which include Phase 1 – 3 (Priorities 1—3) of the College Nexus Project. He said that this proposal will be turned in this summer for the 2020 General Obligations Bond election. He stated that if money does not come in for these projects they will still be able to use the campus. Dr. Carstens further explained Priorities 4 & 5 which pertain to the addition of safety lighting and security cameras in their parking lot and the future acquisition of the Sierra Mall which would allow for traditional didactic classroom space.

***Regent Pyle moved to approve the updated 5-year Capital Projects Plan as presented. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.***

6. Recommended Contractor for Award of the College Nexus Phase 1 Projects Plan, Ruidoso (Dr. Ryan Carstens, Action)

Dr. Carstens gave an update on the RFP for phase 1 of the Nexus Project and said that they have met to review four proposals submitted by independent contractors. The next step will be to send an award letter to the high scoring vendor.

***Regent Pyle moved to approve the recommendation for the contractor awarded to the College Nexus Phase 1 Projects Plan as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.***

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

Dr. Patrice Caldwell stated that there are ten policies for review and all have only minor amendments.

**50-1** Interfund policy has been shortened and the addition of system language and reference to budget manager was added.

**50-2** This is the compilation of several policies all referencing cash handling. The only addition is system language.

**55-4** Purchasing card policy has system language added and reference to system policies. Regent Tatum recommended adding the Roswell CFO as the as that campus' administrator. This policy will be brought back for review at a future meeting.



**65-8 & 65-9** 65-8 has been reviewed by the CIO and is still in compliance with Fair Trade Commission policies; 65-9 was also reviewed by the CIO and fully complies with the Payment Card Industry Data Security Standard (PCI DSS). System language and the correct CIO title have been added.

**70-3** HIV and Aids policy adds “and employees” and is now system-wide policy.

**80-4** Americans with Disabilities policy language is now in compliance with ADA law which requires HIV and Aids to be classified as a disability as well as an illness.

**25-3** ENMU Foundation has requested that this Foundation policy be retired as unnecessary. The referenced policies are available from the Foundation Office.

**70-9** Tailgating policy was discussed as it pertains to issues that might arise during tailgating events. Regent Tatum voiced concern over the time designated for the appeals process. There was further discussion about levels of oversight and how criminal acts would be addressed at these types of events. It was determined that further review of this policy’s appeals section should be addressed at a future meeting.

**70-10** Record of Student Complaints now references appropriate accrediting bodies and applies system-wide.

*Regent Pyle moved to approve policy amendments to 50-1, 50-2, 65-8, 65-9, 70-3, 80-4, 70-10 and retirement of 25-3 as presented. Policies 55-4 and 70-9 will be reviewed at a future meeting. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved.*

8. KENW Equipment Purchases, Portales (Mr. Scott Smart, Action)

Mr. Scott Smart said that \$500K was received from the Legislative Session for the purchase of transmitting equipment for KENW. The Higher Education Department has asked for a formal presentation of what equipment will be purchased prior to the disbursement of funds. Mr. Duane Ryan, Director of Broadcasting was introduced and gave a brief explanation of the equipment proposal. Regent Pyle agreed with the recommendation to proceed through the process of a formal bid.

*Regent Pyle moved to approve the KENW equipment purchases as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved*

9. Approval of Greyhound Arena Roofing Project, Portales (Mr. Scott Smart, Action)

Mr. Smart gave a brief history of the issues that have taken place with the Greyhound Arena roof which ultimately ended with a roofing company incorrectly applying materials to the flat section of the roof. It was necessary to take legal action which culminated in a \$600K settlement. In addition to these funds, \$750 was received from the Legislative Session giving them \$1.35 million which would allow for reroofing both flat and domed surfaces of the arena.

Mr. Smart stated that Roof Inc. of Lubbock, TX has recommended a TPO product that has a manufacturer’s 25-year warranty. This company was the contractor who roofed the Jack Williamson Liberal Arts building as well as the Golden Student Success Center and was recommended through CES.

Regent Dan Patterson said that he would like to see this go through the RFP process even if it comes from CES. Regent Pyle recommended seeking the advice of an engineer to ensure we are going in the right direction before moving this job to the contractor stage.

***Regent Patterson moved to approve the Greyhound Arena Roofing project as presented. Regent Othick seconded the motion. Vote: 5-0-0. Motion approved***

## **REGENT MATTERS**

1. Recognition of Dr. Buck Wilson and Mrs. Janie Moberly (Dr. Patrice Caldwell, Information Only)

Dr. Caldwell gave historical reference to Dr. Buck Wilson and Mrs. Janie Moberly as founders of the ENMU Foundation. These two, along with a few others wrote checks for \$50 to form the foundation and now has over \$20 million in assets. Both Dr. Wilson and Mrs. Moberly have served as ENMU Regents and have continually been great supporters of Eastern New Mexico University.

Dr. Caldwell presented the Regents a formal resolution for their signature and these will be presented at a later time.

## **EXECUTIVE SESSION**

***Regent Tatum moved to enter executive session at 3:57 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 three limited personnel matter pursuant to Section 10-15-1(H)(2), NMSA (1978). Regent Pyle 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 Pyle moved to return to open session at 5:57 p.m. Regent Gergel 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 three limited personnel matter pursuant to Section 10-15-1(H)(2), NMSA (1978). No action was taken.

## **REGENT MATTERS (cont.)**

1. Compensation for Chancellor/President, Portales (Regent Edwin Tatum, Action)  
Regent Dan Patterson recommended that Chancellor/President Elwell receive the 4% salary increase as given to other ENMU employees.

***Regent Patterson moved to approve the compensation recommendation for ENMU Chancellor/President as presented. Regent Othick seconded the motion. Vote: 4-1-0. Motion approved. Regent Gergel opposed.***

## **ADJOURNMENT**

*Regent Patterson moved to adjourn the meeting at 5:59 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*