

EASTERN NEW MEXICO UNIVERSITY
Virtual Board of Regents Meeting
Eastern New Mexico University - Portales
Administration Building – Regents Room
June 26, 2020 – 9:30 a.m.

CALL TO ORDER

Regent President Terry Othick called the meeting to order at 9:35 a.m. and declared a quorum. Regent Joseph Gergel was physically present, and Terry Othick, Dan Patterson, Edwin Tatum, and Lance Pyle were present virtually.

Roll call: Regent Othick – Yes; Regent Patterson – Yes; Regent Gergel – Yes; Regent Pyle– Yes; Regent Tatum –No response.

APPROVE THE AGENDA

Regent Othick said it would be necessary to amend the agenda by removing the Budget Adjustment Requests, which will be brought back in September. Regent Pyle moved to approve the agenda as amended. Regent Patterson seconded the motion. Vote: 4-0-0. Motion approved.

Regent Tatum joined the meeting.

APPROVAL OF MINUTES

Regent Patterson moved to approve the minutes of May 8, 2020, with the understanding that language pertaining to Policy 80-1 be reviewed and reflect the same language that was added to Policy 45-2. Regent Pyle seconded. Vote: 5-0-0. Motion approved.

REPORT FROM THE PRESIDENT OF THE BOARD

Regent Terry Othick thanked everyone for their attendance. He commended the hard work of managers for their efforts on the re-opening plan and recognized the difficult nature of COVID-19 restrictions as well as societal unrest.

REPORT FROM THE ENMU-ROSWELL PRESIDENT

Dr. Shawn Powell expressed his appreciation to the Portales campus for their help with the "Return-to-Campus" plan. This information has now been published on the website.

Dr. Powell said that HLC is still planning to perform a verification visit in September, providing that they are permitted on campus. In anticipation of further budget reductions, ENMU-Roswell is postponing the Strategic Enrollment Management Plan, reducing the number of active purchasing cards, and requiring vice presidential approval for all purchases. The contract with Great Western Dining has been canceled, and they are looking for cost-effective food service options on campus.

Dr. Powell thanked Donna Oracion and Jacob Puckett for setting up the Facebook Live sessions that are being conducted each week to provide campus updates.

Dr. Powell reported that the Academic Affairs unit is working with Job Corps and Youth Challenge on summer and fall instruction. Youth Challenge is only bringing back students who had been enrolled for the previous (spring) semester.

Dr. Powell stated that they have received a \$15,000 grant from the National Endowment for the Arts and thanked Doug Texter and Rollah Astor for their work on this project. They have also received \$39,000 from HED Displaced Worker Funds for healthcare scholarships.

REPORT FROM THE ENMU-RUIDOSO PRESIDENT

Dr. Ryan Carstens reported that the activities on campus are typical for summer, as most students take online courses during this time. Summer enrollment is up 4%, from last year, and they are now monitoring these numbers to see if they taper down.

Dr. Carstens gave a brief report on the developments of the Nexus Project. The retaining wall and roof replacement were completed in late May and early June. The design work for Phase II is underway, and the RFP was released on June 8. Pre-bid meetings were held on June 16, and the deadline for proposals is July 14, 2020.

Dr. Carstens reported that the Student Success Emporium has developed new student online orientation with a pilot for fall.

REPORT FROM THE INTERIM CHANCELLOR OF THE ENMU SYSTEM

Dr. Patrice Caldwell welcomed attendees to the meeting. She reported that the system is experiencing unprecedented stress points, and the Higher Education Department is experiencing some leadership transitions.

Dr. Caldwell stated that employees will gradually return to campus in July in two phases and will receive information about virus prevention, including masking, social distancing, and health monitoring.

Dr. Caldwell reported that summer classes are underway (online). Also, the virtual spring commencement was a success and was aired on KENW May 30.

Dr. Caldwell said that in response to the tragic death of George Floyd, the campus has responded to this social injustice with broadcast emails from the all the presidents of the system, a recognition of Juneteenth on the ENMU portal, and planned "virtual forums" in the fall.

In response to recent questions regarding Senate Bill 8, Dr. Caldwell noted that our Department of Public Safety has utilized body cameras since January 2015 and our officers were outfitted with these devices prior to this legislation. Regent Pyle asked about the System records of all video and audio recordings on these devices. Mr. Clark Elswick responded that backups are kept and protected within the IT System, and the police do not have access to these records.

BUSINESS MATTERS

1. Proposal from Athletics - Rodeo

Mr. Albert Flinn thanked the board for the time to give this presentation. He said that the Rodeo program is the best-kept secret at ENMU and involves 30-40 students. Half or more of these students are New Mexico residents and maintain a very high GPA. The focus of this program is and has always been about getting an excellent education.

Mr. Flinn stated that in 2008, a facility upgrade began, which included new lighting, hauling in hundreds of loads of dirt, and the implementation of handicap accessible restrooms. Most recently, the grandstand that was formerly at the Blackwater Draw Stadium was brought to the arena, which greatly enlarged the seating capacity. All events are live-streamed and he estimates near 9,700 views nationwide.

Mr. Flinn suggested that they are now ready to begin the largest project in ENMU rodeo history, which requires board approval.

Mr. Charles Bennett, Greyhound Club member, said that Coach Flinn came to ENMU with a bold vision to improve facilities, and this time, a private donor has funded Phase I of a three-phase plan. The second phase would be a mirror of the first. It is their intention that this project is entirely privately funded, and not ask ENMU for any money.

Regent Dan Patterson asked if funds have been received for the first phase. Mr. Flinn said that a private donation has been received, and they are ready to move forward. Mr. Scott Smart noted that the next step is to take this proposal to HED for guidance and that all state codes and restrictions would apply. Regent Patterson said that he is supportive of this project but wants to ensure we are following state requirements.

Regent Lance Pyle posed questions about upkeep and maintenance, which could impact the University's budget. Mr. Flinn said that Student Fees and raised funds would cover these expenses. He said that this structure would require minimal upkeep and does not foresee additional costs or liabilities for ENMU.

Regent Joseph Gergel voiced concerns referencing the Blackwater Draw property and the legal issues that, in turn, have been discovered over the sale/donation of a building. Mr. Smart said that we have not had a facility donor such as this, and may require the attention of our attorneys. Mrs. Noelle Bartl commented that the policy for "In-Kind" gifts would be reviewed.

Further discussion took place regarding the timing and acquiring the necessary approvals. Regent Pyle stated that he would like to see an agreement in place (pertaining to "In-Kind" gifts) before moving forward. Regent Edwin Tatum commented that this is a positive move for the University and will serve the interests of our region.

Regent Patterson moved to approve this concept and authorizes the required organizations to proceed with the understanding that the University attorneys be involved and that the appropriate steps are taken to meet state requirements for construction. Also, the donation to the University must be executed legally and that all University and State policies be followed and that the University incurs no costs (including legal fees). Regent Tatum seconded the motion. Vote: 5-0-0. Motion approved.

2. ENMU Policies

Dr. Caldwell introduced policy 10-8, the Naming Policy, as the only item listed for Regent approval. This item was discussed at the March 2020 meeting and has been reviewed and revised to ensure that there is no financial obligation to the University. This policy is now in alignment with national policy and fosters the donor relationship in the most professional and positive way.

15-1-3C (2) – The possible addition of one sentence pertaining to reports that go off-campus. This has not yet been reviewed by University Council and was brought to the Regents for discussion.

20-2-2 C. – The addition of language pertaining to "Reporting of Suspected Misconduct."

45-2-3 B. – The addition of this language was requested at the last Regents meeting, as it pertains to investment property loss, damage or theft, and the disposition of an investigation. This suggested language has also been added to Policy 80-1 at the request of the Regents.

80-22 (new) – This new policy pertains to "Campus Operation during Public Health Emergencies," and puts into place the practices and procedures to protect students, employees, campus visitors, and is consistent with Public Health Directives.

Regent Gergel moved to approve policy 10-8, as presented. Regent Othick seconded the motion. Vote: 4-0-1. Regent Patterson abstained. Motion approved.

3. Approval of Research and Public Service Projects FY22, Portales

Mr. Scott Smart presented proposals for Research and Public Service projects for FY22. He noted that all budgets have been cut by 6%, and there may be further sandings. This proposal reflects a 10% reduction, based on state projections.

Regent Pyle asked how cuts were prioritized, and Mr. Smart responded that the percentage is applied equally at the state level. We can make recommendations, but the state has the authority to do what they choose. Pyle asked if there are certain areas that would be more adversely affected, and Smart suggested that KENW and Athletics would feel the cuts most. He clarified that the state cuts are mandated at 6%, and we have cut an additional 4% in response to the state's needs.

Regent Gergel moved to approve the R&PS proposal, as presented. Regent Patterson moved to amend the motion by only cutting KENW and Athletics by the initial 6% and suggest that these two units not spend these funds upfront and to be otherwise prudent with all spending. Other units follow the submitted 10% reduction proposal. Regent Pyle seconded the motion. Vote: 3-2-0. Regent Gergel and Regent Othick voted "No." Motion approved.

4. Approval of Research and Public Service Projects FY22, Roswell

Dr. Powell presented three proposals for Research and Public Service that was sent to the Governor. This proposal reflects a 6% reduction.

Regent Pyle moved to approve the Research and Publics Service projects for ENMU Roswell, FY22, as presented. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.

5. Approval of Research and Public Service Projects FY22, Ruidoso

Dr. Ryan Carstens presented three Research and Public Service Projects for FY22. He stated that these proposals are in preparation for the anticipated funding cycle requests from the New Mexico Higher Education Department.

Regent Pyle moved to approve the Research and Publics Service projects for ENMU Ruidoso, FY22, as presented. Regent Tatum seconded the motion. Vote: 5-0-0. Motion approved.

6. NM HED Summer Hearing Capital Projects and Five-year Plan for Capital Project Funding, Roswell

Mr. Tony Major listed the projects that have been approved by the Community College Board and await Regent's approval before going to the summer NM HED hearings.

These projects include:

- Replacement of sanitary piping and restroom renovations to five campus buildings (est. \$3.3 million)
- Replacement of cooling towers, boilers and related equipment in the Central Mechanical Building (est. \$483,000)
- Updated Five-Year Capital Projects, which includes the Auto/Welding renovations, and the Physical Plant Building and GO Bond Surveillance project.

Regent Pyle moved to approve the NM HED Summer Hearing Capital Projects and Five-year Plan for Capital Project Funding, Roswell, as presented. Regent Tatum seconded the motion. Vote: 5-0-0. Motion approved.

7. Resolution Authorizing and Approving the Sale of Bonds to the New Mexico Finance Authority (NMFA), Ruidoso

Mr. Greg Salinas, Bond Council from New Mexico Finance Authority, said that this item is for the consent of the Regents, based on the approval of the Community College Board. He stated that the approval of this resolution would allow for the closing of bonds in late July.

Regent Patterson moved to approve the Resolution Authorizing and Approving the Sale of Bonds to the New Mexico Finance Authority (NMFA) as proposed. Regent Pyle seconded the motion. Vote: 5-0-0. Motion approved.

REGENT MATTERS
Information Only

Regent Dan Patterson

Chancellor/President Search

Regent Patterson said that it is time to consider the timeframe for the Chancellor/President search. He referred to a recent article from a higher education publication that suggests that the current environment is not as bad as had been expected. He further stated that three board members would have completed their appointments in the spring, suggesting that some expertise and experience will be lost at that time.

Regent Othick said that these are all good points as he led the previous presidential search committee. He confirmed that this endeavor is a consuming and expensive process for the University and that hiring a search firm requires a big commitment and intense scheduling. He encouraged board members to visit with Dr. Caldwell on when and how she wishes to proceed. He further stated that we should begin the planning process and not be deterred by the COVID-19 issues.

Regent Patterson recommended starting search plans by August 2020 and wants Dr. Caldwell's input. Regent Pyle said that it is essential to begin this process and suggested a target date of July 2021 if Dr. Caldwell is willing to continue in an interim capacity.

Mr. Matt Billings

Athletic Department Update

Mr. Matt Billings said that the past five months have been interesting. He said that he has great coaches and student-athletes and appreciates all of their efforts. Since arriving, he has hired two head coach positions and dealt with the cancellation of spring championships.

Mr. Billings said that over the past two months, he has been planning for the new academic year. The number of contests have been lowered, and cost-saving measures are underway. Although it is unknown what fall will bring, they are taking steps to bring student-athletes back to campus. Testing measures will be in place for the July 20 return, and they are working to assure students and their families that our campus is safe. He stressed that coaches would lead by example.

Regent Gergel asked how Athletics is being financially impacted by the virus. Mr. Billings said that the chipping away of the budget is concerning, but he and his staff will continue to be fiscally responsible. Regent Gergel asked that the lines of communication be open with regard to needs and concerns.

Status of Women's Golf

Mr. Billings said that a decision has been made to delay this initiative due to current circumstances. This topic will be reviewed at a later date.

Regent Pyle affirmed the decision to delay Women's Golf and asked about fundraising. Mr. Billings stated that there are obvious limitations in meeting with potential donors, and there is something lost when you cannot visit face-to-face. He said the community is supportive of their programs, but most have been financially impacted in recent months.

Dr. Patrice Caldwell

ENMU-Ruidoso Presidential Search Update (via Ms. Marla Romero)

Dr. Caldwell introduced the Ruidoso Search Committee chairperson, Marla Romero, and discussed the next steps that would be taken toward bringing candidates on campus. A memo was displayed to board members, announcing the five final candidates:

- Dr. Daniel Barwick (Iowa)
- Dr. Brett Campbell (Oklahoma)
- Dr. Joey Fronheiser (Oklahoma)
- Dr. Ted Lewis (West Virginia)
- Dr. Ryan Trosper (Ruidoso, NM)

Fall Re-Opening Update

Dr. Caldwell stood for questions since this matter was covered in her presidential address. Regent Othick commented that it is crucial to understand that the current plan is fluid and subject to change.

G.O Bond Planning

Dr. Caldwell asked Mr. John Houser to update the Regents on plans that are underway. Mr. Houser said that he is the point person for this campaign and is working on an aggressive advertising strategy that includes billboards and flyers at two prominent local banks, mailings, and personal or virtual appearances.

Regent Othick recommended working with Dr. Steven Gamble and Mrs. Ronnie Birdsong, as they are both seasoned and experienced GO Bond promoters. He said that community support is critical. Mr. Houser responded that he has a detailed plan that will reach alumni, the community, and faculty. He plans to push local, regional, and state-wide advertising, and Dr. Gamble and Dr. Caldwell will be speaking with local civic groups to bring a better understanding of what this bond election means to ENMU and the community.

Mr. Scott Smart

Status Update on University House

Mr. Smart said there has been conflicting information about funds being swept from this project. As of yesterday, he was told that if 5% of the funds had been encumbered, then we are in compliance to keep the funding. He will research this, and if found to be accurate, convene the design committee and begin moving forward.

Status Update on Solar Project

Mr. Smart said that there is not much to report on this project. In terms of last efforts, PRC will look at nudging Xcel Energy into reconsidering the viability of this project.

Blackwater Draw Stadium

Mr. Smart reported that the University attorneys have two interested parties for this property. The highest bid is somewhere near \$20K. He expects the attorneys to be back in touch with us soon with the name of the interested person.

EXECUTIVE SESSION

Regent Patterson moved to enter executive session at 12:47 p.m. to discuss two limited personnel matters pursuant to Section 10-15-1(H)(2), NMSA (1978) and one threatened or pending litigation matter involving the University pursuant to Section 10-15-1(H)(7), NMSA (1978). Also, for discussion is the online posting of Internal Audits.

Regent Tatum seconded the motion. Vote: 5-0-0. Motion approved.

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

Regent Gergel left the meeting at 1:30 p.m.

Regent Pyle moved to return to open session at 1:50 p.m. Regent Tatum seconded the motion. Vote: 4-0-0. Motion approved.

Regent Othick reported that two personnel matters were discussed. No actions were taken.

ADJOURNMENT

Regent Pyle moved to adjourn the meeting at 1:51 p.m. Regent Tatum seconded the motion. Vote: 4-0-0. Motion approved.

A handwritten signature in black ink, reading "Jerry O'Hick". The signature is written in a cursive style with a large, prominent "J" and "O".

President of the Board

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