



New Mexico Highlands University Board of Regents

Meeting Notice March 21, 2024 at 9:00 a.m.

March 6, 2024

The New Mexico Highlands University Board of Regents will hold an open meeting on March 21, 2024 at 9:00 a.m. in the Board Room-107 of the Rodgers Administration Building at 803 National Ave., Las Vegas, New Mexico. This notice will be submitted to various media outlets, posted on the university's website at <https://www.nmhu.edu/board-of-regents/board-of-regents-announcements>, and in the Rodgers Administration Building. The livestreamed meeting will be accessible through the following link: <https://nmhu.zoom.us/j/99373471046>

In compliance with the Open Meetings Act, the agenda will be posted on the NMHU website at <https://www.nmhu.edu/board-of-regents/board-of-regents-announcements/> and in the Rodgers Administration Building no later than 72 hours prior to the meeting.

For accessibility services call 454-3269 at least 48 hours prior to the meeting to ensure that any needed equipment can be made available or special arrangements can be made.



New Mexico Highlands University Board of Regents

Meeting Agenda

March 21, 2024 at 9:00 a.m.

(corrected)

1. Call to Order – Chairman William Garcia
2. Roll Call
3. Compliance with Meeting Notice Requirements
4. Approval of the March 21, 2024, Meeting Agenda
5. Approval of the Minutes from the January 19, 2024, Board Meeting
6. Consent Calendar – **Action Items**
 - A. Open Meetings Act Resolution
 - B. Disposition of University Inventory – Ms. Stephanie Gonzales
 - C. Graduate Certificate in Addiction Counseling – Dr. Roxanne Gonzales
 - D. Returning NMHU Students Policy – Dr. Roxanne Gonzales
 - E. Adding, Dropping, and Withdrawing (Short Term Courses) – Dr. Roxanne Gonzales
 - F. Adding, Dropping, and Withdrawing (8 Week Session) – Dr. Roxanne Gonzales
 - G. Adding, Dropping, and Withdrawing (Full Term) – Dr. Roxanne Gonzales
 - H. Provost/Vice President for Academic Affairs Report – Dr. Roxanne Gonzales
 - I. Vice President for Finance & Administration Report – Ms. Stephanie Gonzales
 - J. Vice President for Student Affairs Report – Dr. Kimberly Blea
 - K. Executive Vice President for Student & Donor Engagement Report – Ms. Terri Law
7. VP for Marketing & Communications Legislative Report – Mr. David Lepre
8. Auditor Presentation and Acceptance of the FY23 University Audit, HSI Audit, and Foundation Audit – **Action Item**
9. Presentation by Dr. Timothy Shields, Executive Director/Administrator of the NM Behavioral Health Institute
10. Athletics Department Presentation – Mr. Deisler and Ms. Halalilo
11. Faculty Senate Report – Dr. Lauren Fath
12. Staff Advisory Senate Report – Mr. Robert Anaya
13. Associated Students of NMHU Report – Mr. Kayl Rainer
14. Public Comment *

15. Executive Session – (a) discussion of limited personnel matters related to President Sam Minner’s contract and goals pursuant to NMSA 1978, § 10-15-1(H)(2); (b) discussion of limited personnel matters related to the discussion of the hiring, promotion, dismissal, assignment, resignation, and/or investigation or consideration of complaints or charges against any individual or public employee, pursuant to NMSA 1978, § 10-15-1(H)(2); (c) discussion of threatened or pending litigation subject to the attorney- client privilege in which the university is or may become a participant, pursuant to NMSA 1978, § 10-15-1(H)(7); and (d) discussion of the purchase, acquisition or disposal of real property of the university, pursuant to NMSA 1978, § 10-15-1(H)(8)
16. Public **Action** and Statements as Necessary on Executive Session Discussion
17. Vice President of Finance & Administration – Ms. Stephanie Gonzales
 - A. Preliminary Budget
 - B. HR/Payroll Update
 - C. Cash Flow Report
 - D. Tuition, Fees, Housing and Meal Plan Discussion
 - E. Legacy Funds Availability Report
18. Vice President for Student Affairs – Dr. Kimberly Blea
 - A. Residential Facilities Report
19. Golf Course Management Committee Report and Recommendations – **Action Item**
 - A. Gene Torres Golf Course Memorandum of Agreement with the San Miguel County and City of Las Vegas – **Action Item**
20. Chief of Staff – Dr. Brandon Kempner Presidential
 - A. Presidential Transition Plan – **Action Item**
 - B. May 2024 Board of Regents Retreat Discussion
21. HLC Update – Dr. Keith Tucker & Ms. April Kent
22. Board of Regents
 - A. Regular Meetings Dates – **Action Item**

<u>Option 1</u>	<u>Option 2</u>
June 2, 2024	April 26, 2024
September 20, 2024	August 23, 2024
December 12, 2024	November 29, 2024
 - B. Comments
23. Adjournment – **Action Item**

* **PUBLIC COMMENT PERIOD** – The agenda for each regular meeting of the Board of Regents shall include an opportunity for members of the public to address the Board on matters of public interest related to the University. Unless otherwise determined by the Chairman of the Board, this public comment period shall last no longer than fifteen (15) minutes and each person addressing the Board shall speak for no more than three (3) minutes. When deemed necessary, persons wishing to address the Board may be required to sign in so that the public comment period may be conducted in an orderly manner. Matters of individual concern, such as employee grievances or student appeals that do not involve a matter of public interest, are not appropriate topics for the public comment period. University policy provides administrative channels to pursue such matters. The Board of Regents may not act on any item raised during the public comment period, but may refer items to be placed on the agenda of a future meeting for action. (NMHU Board of Regents Policy Guide, pages 20-21).

New Mexico Highlands University
Board of Regents Meeting
March 21, 2024

The New Mexico Highlands University Board of Regents met on March 21, 2024. The meeting was held at the Rodgers Administration Building, Room 107, 803 National Avenue, Las Vegas, NM 87701. The university made every effort to accommodate members of the public as stated in the March 6, 2023, meeting announcement. The meeting was livestreamed via Zoom. Members of the public were able to access the livestream through the following link: <https://nmhu.zoom.us/j/99373471046>

Call to Order – Chairman Garcia called the meeting to order at 9:00 a.m.

Roll Call – Board Members present: Mr. William Garcia, Mr. Robert Lucero (via Zoom), Mr. Cody Rivera, Dr. Frank Sanchez, and Ms. Danelle Smith

Administrative Personnel Present: Dr. Roxanne Gonzales, Provost/VP for Academic Affairs; Ms. Stephanie Gonzales, CPA/VP for Finance, Administration; Ms. Theresa Law, JD, CFRE/Executive VP for Student and Donor Engagement; Dr. Kimberly Blea, VP for Student Affairs; Mr. David Lepre, and VP for Marketing, Communications & Government Relations

Others Present: Dr. Brandon Kempner, Chief of Staff; Dr. Lauren Fath, Faculty Senate Chair; Mr. Robert Anaya, Staff Advisory Senate President (via Zoom); Mr. Kayl Rainer, ASNMHU President; Dr. Keith Tucker, HLC Director/Accreditation Liaison Officer; Ms. April Kent, HLC Liaison Officer; Ms. Patricia Ives, NMHU Legal Counsel; and Ms. Carolina Martínez, Senior Executive Administrative Assistant. Faculty members, staff, students, and community members participated in the meeting as it was streamed via Zoom.

Compliance with Meeting Notice Requirements

Chairman Garcia stated that in accordance with the Open Meetings Act, the notice and agenda with the meeting date, time, and place for the March 21, 2024, meeting were posted in compliance with the NMHU Board of Regents Open Meetings Act Resolution.

Approval of the March 21, 2024, Meeting Agenda

Chairman Garcia requested removing Items 17.A. Preliminary Budget and 17.D. Tuition, Fees, Housing and Meal Plan Discussion from the agenda.

Regent Rivera moved to approve the March 21, 2024, meeting agenda as amended. Regent Lucero seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Approval of the Minutes from January 19, 2024

Regent Rivera moved to approve the minutes from the January 19, 2024, special meeting as presented. Regent Smith seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Consent Calendar – Action Items

- A. Open Meetings Act Resolution**
- B. Disposition of University Inventory – Ms. Stephanie Gonzales**
- C. Graduate Certificate in Addiction Counseling – Dr. Roxanne Gonzales**
- D. Returning NMHU Students Policy – Dr. Roxanne Gonzales**
- E. Adding, Dropping, and Withdrawing (Short Term Courses) – Dr. Roxanne Gonzales**
- F. Adding, Dropping, and Withdrawing (8 Week Session) – Dr. Roxanne Gonzales**
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- H. Provost/Vice President for Academic Affairs Report – Dr. Roxanne Gonzales**
- I. Vice President for Finance & Administration Report – Ms. Stephanie Gonzales**
- J. Vice President for Student Affairs Report – Dr. Kimberly Blea**
- K. Executive Vice President for Student & Donor Engagement Report – Ms. Terri Law**

Regent Smith moved to approve all of the Consent Calendar items, action items and reports (**Attachment A-K**) as provided. Regent Rivera seconded. Voting in favor were: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

VP for Marketing & Communications Legislative Report – Mr. David Lepre

Mr. Lepre provided a presentation. (**Attachment L**).

Auditor Presentation and Acceptance of the FY23 University Audit, HSI Audit, and Foundation Audit – Action Item

Mr. Paul Garcia, Auditor/Partner at Carr Riggs and Ingram, LLC presented the NMHU 2023 Audits (**Attachment M**).

Chairman Garcia requested that Provost Gonzales respond to Mr. Jose C'de Baca regarding NMHU Stable Isotopes revenues. He also requested that that auditor's presentation be provided to the Regents.

Regent Smith moved to accept the FY23 University Audit (**Attachment N**) and the HSI Audit (**Attachment O**) as presented. Regent Sanchez seconded. A roll call vote was taken, voting in favor were: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Presentation by Dr. Timothy Shields, Executive Director/Administrator of the NM Behavioral Health Institute

Dr. Shields informed the Board that that he and the NMBHI want to partner with NMHU to grow healthcare professionals. He and Mr. Louis Trujillo, former Mayor of the City of Las Vegas, want to reconnect to better serve the community.

Dr. Shields recognized the following 5 distinct characteristics of the NMBHI:

- They have a newly remodeled long-term care facility/nursing home.
- NMBHI has a small adolescence care unit that accommodates up to 10 residents.
- NMHBHI serves an adult psych population; individuals unable to stabilize in short-term hospitalizations or in the community.

- NMBHI has a forensic division.
- They also offer Community-Based Services, on 7th Street in Las Vegas, they assist over 800 clients monthly. They also have offices in Pecos and Santa Rosa, NM.

Dr. Shields informed that NMBHI and NMHU currently partner by having psychology and social work students do their internships at NMBHI. Some NMBHI psychologists teach courses at NMHU. Another partnership between NMHU's Foundation and the NMBHI is for loaner art.

Athletics Department Presentation – Mr. Jim Deisler and Ms. Shanna Halalilo

Ms. Halalilo and Mr. Deisler provided a report in advance of the meeting (**Attachment P**).

Ms. Halalilo called on Mr. Bob DeVries, NMHU Track-Field and Cross-Country Coach, to present. He introduced Ms. Shereca Hemmings, Assistant Coach. He informed the Board that Assistant Coach, Mr. Damia Russell, was currently recruiting students in Jamaica.

Coach DeVries introduced Mr. Andrew Amore, student/cross country athlete. Mr. Amore is the first NMHU RMAC Cross Country Champion, and he received his 3rd All-American Award; he placed 5th at Nationals and 9th at the World University Games in Oman where he represented his home country of Australia where he was the #1 runner on the team. Mr. Amore also has a 4.0 gpa.

Coach DeVries introduced Ms. Cemore Donald, Ms. Ashley Barrett, and Ms. Patreece Clarke. They are members of the NMHU Track & Field Team. Ms. Donald is the RMAC Champion in 400m sprint. Ms. Barrett was All-American in the 60m hurdles and RMAC Champion in both the 60m hurdles and 200m sprint. She was named the RMAC Athlete of the Year and Freshman of the Year for Indoor Track & Field. Ms. Clarke won the 100m (outdoor) and 60m (indoor) RMAC Championship. Ms. Clarke has also received All-American Awards twice.

Mr. Cody Cole, former Head Wrestling Coach/current Assistant Athletic Director of Compliance and Student Success, introduced Mr. Zach Ferris who won a national title in Kansas where he was coached by Mr. Cole. When Mr. Cole came to NMHU he persuaded Mr. Ferris to attend NMHU. Mr. Ferris was an RMAC First-Team and All-Conference Wrestler. He has won over 100 matches during his wrestling career. He maintains a 4.0 gpa; is a multiple National Wrestling Conference All-American. Mr. Ferris will graduate from NMHU this year.

Mr. Mike Dominguez, Men's Head Basketball Coach, introduces Mr. Nathan Hasberry. Mr. Hasberry was named First-Team All-Academic Team and All-Conference All-Academic Team. The award is only given to 10 players yearly. He is a sophomore who was recruited from Cleveland High School in Rio Rancho, New Mexico.

Ms. Halalilo informed the Board that Mr. Devin Coney, a senior, won the RMAC Second Team-All-Conference Award in football. Mr. Shawntay Mills, a senior, earned an RMAC Honorable Mention in football. Ms. Juliana Aragon earned an RMAC Honorable Mention in Women's Basketball. Ms. Dioni Lincoln, was the RMAC Softball Player of the Week.

The Board recessed at 10:50 a.m. and reconvened at 11:00 a.m.

Faculty Senate Report – Dr. Lauren Fath

Dr. Fath provided a written report (**Attachment Q**). Dr. Fath stated that the Faculty Senate want an explanation why it took two year to receive the HLC Report. Chairman Garcia asked Provost and Faculty Senate to identify specific issues and actions with a response timeframe and asked that Provost Gonzales provide a report at the next regular Board meeting.

Regent Lucero requested the HLC letters. Provost Gonzales will provide the letters immediately.

Staff Advisory Senate Report – Mr. Robert Anaya

Mr. Anaya read his report (**Attachment R**).

Provost noted that meetings with Human Resources, the Registrar, and other needs to occur to research the implications of the additional leave days.

Associated Students of New Mexico Highlands University Report – Mr. Kayl Rainer

Mr. Rainer read his written report (**Attachment S**). He thanked Vice President Blea; Mr. Reynaldo Maestas, Center for Professional Development and Career Readiness Director; and Ms. Lyla Maestas, CPD & CR Assistant Director, for their guidance and support.

Regent Lucero asked if the ASNMHU works with strategic enrollment staff to recruit a diverse campus population. Chairman Garcia asked VP Law and Mr. Rainer to develop a recruitment plan and provide a report at the next meeting.

Public Comment

No one came forward.

Executive Session – (a) discussion of limited personnel matters related to President Sam Minner’s contract and goals pursuant to NMSA 1978, § 10-15-1(H)(2); (b) discussion of limited personnel matters related to the discussion of the hiring, promotion, dismissal, assignment, resignation, and/or investigation or consideration of complaints or charges against any individual or public employee, pursuant to NMSA 1978, § 10-15-1(H)(2); (c) discussion of threatened or pending litigation subject to the attorney- client privilege in which the university is or may become a participant, pursuant to NMSA 1978, § 10-15-1(H)(7); and (d) discussion of the purchase, acquisition or disposal of real property of the university, pursuant to NMSA 1978, § 10-15-1(H)(8) Regent Lucero moved to enter into executive session for the sole purpose of discussing the items listed. Regent Smith seconded. A roll call vote was taken, voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried and the Board entered into executive session at 11:45 a.m.

Regent Lucero moved to return to open session and stated, for the record, that only those items specified under the executive session motion were discussed and the Board took no action. Regents present confirmed. Regent Sanchez seconded the motion. A roll call was taken, voting in favor of returning to open session were; Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried and the Board returned to open session at 2:15 p.m.

Public Action and Statements as Necessary on Executive Session Discussion

No action was taken.

The Board instructed Ms. Ives, university legal counsel, to proceed with regard to the real estate property item; in accordance with the discussions held during the closed session.

Regent Rivera stated for the record that he recused himself from deliberation of an appeal due to a conflict of interest.

Vice President of Finance & Administration (VPFA) – Ms. Stephanie Gonzales
HR/Payroll Update

VPFA Gonzales summarized the written report she provided in advance of the meeting (**Attachment T**).

VPFA Gonzales noted:

- HR is correcting vacation and sick balances and accruals, errors were found during uploading from Banner to Paycom
- Work is being done to verify and correct hire and re-hire dates
- HR is preparing for the July 1st, state approved, compensation increase

Regent Rivera asked VPFA Gonzales to research adding an additional time-clock at Facilities.

Regent Smith asked if HR/Payroll was making progress on audit findings. VPFA Gonzales reported IRS reporting, Educational Retirement Board reporting, and NMHED reporting processes are being improved. Chairman Garcia recognized the positive trend via the reduction in open job tickets. Regent Lucero commended VPFA Gonzales and her team for their efforts.

Cash Flow Report

VPFA Gonzales summarized her written report (**Attachment U**).

VPFA Gonzales pointed out the following:

- HU received 5.7 million dollars for capital outlay projects from the State
- A 10.5 million cash balance is projected at the end of the fiscal year
- The university received the fall Opportunity Scholarship reimbursement and is waiting for the Lottery Scholarship reimbursement.

Legacy Funds Availability Report

VPFA Gonzales summarized her written report (**Attachment V**) which provided history for the seven endowment funds. A lengthy discussion followed. Chairman Garcia asked VPFA Gonzales to work with legal counsel to determine how to utilize the funds.

Vice President for Student Affairs – Dr. Kimberly Blea

Residential Facilities Report (**Attachment W**). VP Blea introduced Mr. Joseph Dominguez, Director of Student Life & Campus Recreation/Interim Director of Housing and Ms. Jacinda Woodruff, Assistant Director of Residence Life & Housing Operations.

VP Blea noted that Housing Department's goals are to provide a high-quality residential experience for students. She recognized that housing impacts student retention and pointed out that housing is an auxiliary operation which should operate efficiently for fiscal sustainability.

The Housing Department successfully implemented an application automation payment process; is working closely with strategic enrollment management, the athletic department, and other stakeholders to ensure application and assignment deadlines are met.

Golf Course Management Committee Report and Recommendations – Action Item

Chairman Garcia provided an overview of the PowerPoint presentation (**Attachment X**) and Memorandum of Agreement between the City of Las Vegas, San Miguel County and New Mexico Highlands University (**Attachment Y**).

Gene Torres Golf Course Memorandum of Agreement with the San Miguel County and the City of Las Vegas – Action Item

Regent Rivera asked what if an entity decided not to renew the MOA. Chairman Garcia responded that the MOA would be null and void and would then be revisited by the Board. Regent Rivera asked for clarification on the 3-season, \$60K yearly commitment. Chairman Garcia explained that all entities agreed on 3-seasons of additional fund provided the university makes yearly presentations and condition of the MOA are met before they fund the next year.

Regent Sanchez thanked Chairman Garcia for meeting with the City Council and County to negotiate the MOA. He commented that the City Council negotiating, into the MOA, that local high school students use the golf course for free is a gain. He hopes HU establishes a golf team.

Regent Smith raised concerns about financing the golf course for \$60K; with a possible expense of \$40K for a golf course pond liner and well; and off-season costs. She commented that funding to pay for the expenses comes from tuition and fees and that funding for the golf course is carried by students when the golf course is not used by the students. She stated that NMHU is a higher education and funding should be used on the residence halls.

Regent Lucero thanked Chairman Garcia for his work on the MOA. He asked if the City would receive revenue from the golf course and restaurant. Chairman Garcia responded no.

Chairman Garcia reminded the Board that they voted to fund the golf course for three years during their December 16, 2023, meeting. He went on to say that Highlands has funding the feasibility study and can progress.

Regent Lucero acknowledged Regent Rivera's and Regent Smith's concerns and asked if NMHU students could be allowed free play or discounted play like the East and West Las Vegas high school students. Chairman Garcia said university students can access the golf course through existing student programs. Regent Rivera explained that students pay fees and those fees are used to purchase golf passes.

Regent Rivera moved to approve the MOA with the added language that “NMHU and Luna Community College students golf at a reduced rate.” Motion died for lack of a second.

Regent Sanchez moved to approve the Gene Torres Golf Course Memorandum of Agreement with the San Miguel County and the City of Las Vegas as presented. Chairman Garcia seconded. Voting in favor were: Regent Lucero, Regent Sanchez, and Chairman Garcia. Opposed were: Regent Rivera and Regent Smith. Motion carried.

Chief of Staff – Dr. Brandon Kempner

Presidential Transition Plan – Action Item

Dr. Brandon Kempner requested approval of the Presidential Transition Plan presented (**Attachment Z**). Regent Sanchez volunteered to serve on the Transition Event Committee.

Regent Lucero moved to Presidential Transition Plan to form a Transition Event Committee as discussed. Regent Rivera seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

May 2024 Board of Regents Retreat Discussion

Dr. Kempner proposed a full day Board of Regents Retreat to discussion presidential goals with both the outgoing and incoming presidents on Monday, May 6, 2024. Presentations from campus units could be given in the afternoon.

HLC Update – Dr. Keith Tucker and Ms. April Kent

Dr. Tucker and Ms. Kent provided a PowerPoint presentation (**Attachment AA**). The next comprehensive accreditation visit will be scheduled for 2028 or 2029.

Board of Regents

Regular Meetings Dates – Action Item

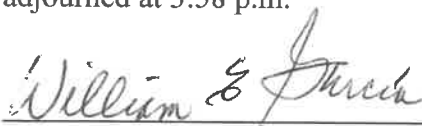
Chairman Sanchez moved to table the Regular Meeting Dates Action Item. Regent Smith seconded. Voting in favor: Regent Lucero, Regent Rivera, Regent Sanchez, Regent Smith, and Chairman Garcia. Motion carried.

Regent Comments

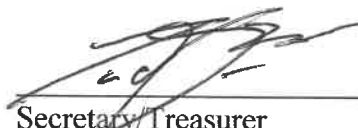
There were no additional comments.

Adjournment

Regent Rivera moved to adjourn. Regent Sanchez seconded. Motion carried and the meeting adjourned at 3:58 p.m.



Chairman
NMHU Board of Regents



Secretary/Treasurer
NMHU Board of Regents