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University of New Mexico Board of Regents Minutes for May 08, 2007

University of New Mexico Board of Regents

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MINUTES OF THE MEETING OF THE REGENTS OF THE UNIVERSITY OF NEW MEXICO

May 8, 2007
Student Union Ballroom C @ 9:00 a.m.

ATTENDANCE :

Regents present:

James H. Koch, President
 Jack Fortner, Vice President
 Carolyn Abeita, Secretary-Treasurer
 John "Mel" Eaves (via teleconference for the F&F agenda items)
 Raymond Sanchez
 Don Chalmers
 Dahlia Dorman, Student Regent

Acting President present:

David Harris

Vice Presidents present:

Paul Roth, Executive Vice President, Health Sciences Center
 Reed Dasenbrock, Provost and Executive Vice President of Academic Affairs
 Michael Kingan, Vice President of Advancement
 Terry Yates, Vice President for Research
 Eliseo "Cheo" Torres, Vice President of Student Affairs
 Carolyn Thompson, Interim Vice President of Human Resources

University Counsel present:

Patrick Apodaca, University Counsel

Regents' Advisors present:

Virginia Shipman, Faculty Senate
 David Groth, President, Staff Counsel
 Joseph Garcia, President, GPSA
 Brittany Jaeger, ASUNM
 Ashley Fate, Incoming President ASUNM
 Lillian Montoya-Rael, President, UNM Alumni Association
 Gary Gordon for Thelma Domenici, President, UNM Foundation

Others in attendance:

Members of the administration, faculty, staff, students, the media and others.

Regent Koch presided over the meeting and called the meeting to order at 9:00 am.

CONFIRMATION OF QUORUM and APOPTION OF AGENDA, Regent Koch**Motion approved** unanimously to adopt today's agenda (1 st Fortner, 2 nd Abeita).**APPROVAL OF SUMMARIZED MINUTES OF APRIL 10, 2007 UNM BOARD OF REGENTS MEETING****Motion approved** unanimously to approve the Summarized Minutes of the April 10 2007 UNM Board of Regents meeting (1 st Fortner , 2 nd Abeita).**PRESENTATION – REGENTS MERITORIOUS SERVICE AND REGENTS RECOGNITION AWARDS, Regent Koch**

- Kevin G. Stevenson – This *Regent Recognition* award has never been given to a student before, but was presented to Mr. Stevenson for outstanding service to UNM as ASUNM President, Student Leader, Legislative Team and Special Projects.
- David W. Harris – The *Regents Meritorious Service* award was presented to David W. Harris for extraordinary and distinguished service to UNM and leadership as Acting President, Chief Operating Officer and Chief Financial Officer. Mr. Harris received a standing ovation. Mr. Harris stated that this is a real surprise and a real honor to receive this award.

FINANCE & FACILITIES REPORT-May 3, 2007 Meeting, Regent Eaves, Chair**1. Consent Agenda Items**

Regent Eaves reported that the committee approved the following agenda items for the Consent Agenda. Regent Eaves asked if there were any questions, comments, or objections by the Regents. No questions, comments, or objections were voiced by the Regents.

- Disposition of Surplus Property on List Dated April 19, 2007
- Approval of:
 - Architect Selection for New Science and Math Learning Center
 - Capital Project Approval – Caster Hall Addition 2007
 - Capital Project Approval – Johnson Field Lighting

- Approval of:
 - Capital Project Approval – Zimmerman Library Fire Alarm Replacement
 - Naming Opportunity in honor of Frederick Hanold, M.D. Dominici Center for Health Education
 - Naming Tribute Plantings and Markers
 - Naming opportunity in honor of Phil and Olga Eaton, Sculpture Garden of Healing Phase I
- Approval of:

a) Agreement for Auditing Services, Moss Adams LLP

- Approval of Authorization of Joint Powers Agreement, UNM and NMDPS
- Approval of Anderson Student Quarterly Portfolio Report

Motion approved unanimously to approve the actions of the Finance & Facilities Committee as indicated in the Consent Agenda, items A, B, C, D, E and F (1 st Eaves 2 nd Sanchez).

2. Non -Consent Agenda Items

- Approval of Budget Revisions for FY 2006-07

Motion approved unanimously to approve the Budget Revisions for FY 2006-07 a copy of which is attached hereto.(#1) (1 st Eaves 2 nd Sanchez).

- Approval of UNM FY 2007-08 Operating Budget

Motion approved unanimously to approve the UNM FY 2007-08 Operating Budget a copy of which is attached hereto.(#2) (1 st Eaves 2 nd Chalmers).

I. Preliminary Approval of Cancer Research Treatment Center II Project

The following Resolution was presented to the Board of Regents by the Chair of the Finance Facilities Committee Regent Eaves. Upon a motion made by Regent Eaves, and seconded by Regent Sanchez, the

Motion was approved unanimously.

Resolution CRTC II Project (#3)

Whereas , the Board of Regents of the University of New Mexico authorized the planning and design of a new facility for cancer care, herein referred to as "CRTC II;"

Whereas , plans for CRTC II include the construction of a core building and clinical facility (the "Core Building") and future plans for the construction of an adjoining Cancer Education Center (the "Education Building") and an adjoining Cancer Administration Complex;

Whereas, in furtherance of such plans the University's Purchasing Department issued a qualifications-based request for proposals for construction of the CRTC II project (the "RFP") and received responses thereto from qualified bidders, including Flintco Constructive Solutions ("Flintco");

Whereas, following their evaluation of all responses to the RFP, the Purchasing Department and the Office of Capital Projects have determined and recommended to the Executive Vice President for Administration, and the Executive Vice President for Administration has recommended to the Board of Regents, that a selection of Flintco for the construction of the Core Building and the Education Building is in the best interest of the University, subject to completing satisfactory value engineering, final negotiations of a contract and a determination that costs and scope of construction by Flintco are satisfactory to the University;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Upon reaching a determination of the costs and scope of construction, David W. Harris, as the Executive Vice President for Administration or Chief Operating Officer and Chief Financial Officer ("Authorized Officer"), is hereby authorized to take such steps as the Authorized Officer deems necessary and appropriate to complete the negotiation of, to enter into, sign and deliver, and to consummate, a definitive agreement (the "Flintco Contract") on behalf of the Regents of the University of New Mexico (the "University") evidencing the above described transaction with Flintco for the construction of the Core Building and Education Building, such Flintco Contract to be on such other terms and conditions as the Authorized Officer determines to be in the best interest of the University.

2. The University, acting by and through the Authorized Officer, and such other officers as the Authorized Officer determines appropriate, are authorized and empowered, on behalf and in the name of the University, to sign and deliver any and all additional documents and instruments as the Authorized Officer determines necessary or appropriate to consummate the transactions evidenced by the Flintco Contract, such documents and instruments to be in form and substance acceptable to the Authorized Officer.

Discussion:

Regent Eaves stated that negotiations are still underway with the Cancer Research Treatment Center II Project. Currently there is a budget targeted for \$57.5 million. This Resolution has been agreed upon by Dr. Paul Roth, Andrew Cullen and Patrick Apodaca. The Finance & Facilities Committee adopted this Resolution. The cost of the contents of the building is not being approved at this time; those will require additional funds.

Regent Chalmers addressed the need for Resolutions on all actions, where a motion might be sufficient. Regent Chalmers addressed the issue of why the builders want to put in a foundation when funding to finish the building has not been finalized.

Motion was presented by Regent Sanchez that the Executive Vice President for Administration and Chief Financial Officer, David W. Harris, and Executive Vice President, Health Sciences Center, Dr. Paul Roth, be given the authority to review and identify the availability of funds to complete the Cancer Research Center.

Motion approved by a vote of four (4) to three (3).

Regents Sanchez, Fortner, Eaves, and Abeita voted in favor of the motion.

Regents Koch, Chalmers, and Dorman voted not in favor of the motion.

J. Approval of Possible Sales of Vacant Land to Central NM Community College

Motion approved unanimously to approve the sale of vacant land (15 acres) to Central NM Community College pursuant to the Term Sheet (1 st Eaves 2 nd Sanchez).

- Kim Murphy stated that the Term Sheet outlines the basic transaction between the University and CNM, as well as the transaction between the State Land Office and CNM. Our sale to CNM is contingent upon their favorable vote to expand the district to include this land. The purchase price will be the same price as the Commissioner receives on the land the Commissioner is selling to CNM. 25% of our sale proceeds have to be shared with the State Land Commissioner pursuant to our original agreement. The 25% goes to help the public schools of the state of New Mexico.

K. Approval of Fiscal Watch Report

Motion approved unanimously to approve the Fiscal Watch Report (1 st Eaves

2 nd Fortner). Regent Eaves has signed the document.

- Curt Porter commented that item K is tied to item M, which is an Information Item. The Information Item gives you the background to then be able to approve item K. Curt Porter reviewed the Consolidated Total Operations Current Funds Report for 9 months ending 3/31/07.

L. Approval of Policy Regarding Building Plaques

Motion approved unanimously to approve Board of Regents' Policy 2.11.1 Subject: BUILDING PLAQUES (1 st Fortner 2 nd Sanchez)

- Regent Eaves commented that during the dedication of the West Wing of the hospital Steve McKernan voiced some questions about what the plaque at the new hospital wing should say. Regent Eaves passed those questions along to President Koch. They decided they needed to develop a formal Regent's policy on building plaques. A policy was drafted by Patrick Apodaca, David Harris has approved it, Regent Fortner provided an amendment which is included the the approved policy as listed below.

Board of Regents' Policy 2.11.1 Subject: BUILDING PLAQUES (#4)

Applicability

This policy applies to the placement of plaques on new buildings and major new additions to buildings constructed on the University's campuses.

Policy

Upon completion of construction of a new building or a major new addition to a building on any of the University's campuses, a plaque shall be mounted in the lobby of the building or other appropriate interior location as determined by the University President. The plaque will be of such material, proportion and detail as to harmonize with its surroundings in an appropriate manner, as approved by the University Architect. The plaque will include the following information:

- Building name;
- University President on the date ("contract approval date") of approval of the construction contract for the building project;
- Members of the Board of Regents and their Board offices on the contract approval date, and members and their offices on the dedication date;
- Executive Vice President for Administration on the contract approval date, if project is under his/her jurisdiction;
- Provost/Executive Vice President for Academic Affairs on the contract approval date, if project involves an academic or student services building;
- Executive Vice President for Health Sciences on the contract approval date, if project involves a Health Sciences Center building;
- Members of the Clinical Operations Board on the contract approval date, if determined appropriate by the President for the project that involves a Health Sciences Center building;
- Name of Architect;
- Name of General Contractor;
- Year building completed;
- Other individuals and/or public officials who the President of the University determines made substantial efforts or contributions that made the project possible;
- If elected officials who were in office at the time the building was funded are listed, acknowledged or thanked, the plaque shall also include a statement of equal size and visibility that thanks the taxpayers of New Mexico for their contribution in funding the construction.

Information Items :

M. Monthly Financial Report

Curt Porter explained the items G (Budget Revisions for FY 2006-07) & H (UNM FY 2007-08 Operating Budget) were approved by the Finance & Facilities Committee. We are adjusting the current year budget upward by 3.1%, that's a little over \$52 million dollars. That's a relatively large variance. There are three or four items driving this variance.

Summary of the Regents Consolidated Financial Report for the 9 months ending 3/31/07 (#5)by AVP Ava Lovell.

This report covers University current funds operations, including Branches and Clinical, for the first three quarters of FY 07.

Our **Instruction and General** operations (primarily driven by Main Campus) show net actual revenue greater than expenses of \$28.8 million as of 3/31/07. This is down from February at \$43.8 million and January at \$51.4 million. This trend is driven by the bolus of tuition recorded in January for spring semester, which is absorbed by expenditures for salaries, benefits, utilities, etc. as the semester continues. The same trend occurred in fall semester. Instruction and General operating budgets will be revised to end the year with an approximate \$6 million use of balance, primarily Academic and Instructional Support on Main Campus.

The next information block shows our **Unrestricted Research** operations. The volume in these operations is essentially 50% Main campus and 50% HSC.

The net unfavorable expenses greater than revenue of \$1,972 million is driven exclusively by HSC operations. This planned use of balances is due to approved transfers to Plant Funds for the RIB II building (now the Multidisciplinary Research Facility {MRF}).

The third block of numbers on the first page is a summary of our **Clinical** operations. These operations are essentially all the patient care activities of the HSC, including our four hospitals, SOB physical professional services and Cancer Center. Net operations show significantly favorable at \$22.2 million net revenue greater than expense. The operations of the UNM Hospitals account for \$14.1 million of the favorable net income, driven by a \$10 million non-recurring capital state appropriation for equipment and a trend toward a favorable patient mix as a result of improved access to all patients. The operations at the SOC account for \$8.0 million of the favorable bottom line, also driven by significant non-recurring revenue of \$4.1 million from the prior year's Upper Payment Limit. The favorable payer mix is also helping the SOM bottom line.

The fourth business line displays **Unrestricted Public Service**. The operations in this category include special projects funded by State Appropriations, e.g. the Echo project, and non-endowed gifts flowing from the UNM Foundation to departments. Many small events funded by user fees are also included in this section, for example, the Pageant of the Bands and workshops or seminars held by academic departments. The total net favorable revenue over expense is driven by equal increases in other revenue and reduced expenditures in non-salary expense. We expect this function to break even by year end.

Independent Operations are essentially the operations of OMI and the House staff/Medical Residents who are being trained in the UNM and VA hospitals. Independent Operations are projected to breakeven by year-end.

The next operation is the **Student Aid** function. Essentially all the expenditures in this are recorded on the semester basis for scholarships and need-based aid to students. The current net use of balance is equal to budget of \$1.8 million; however, we expect additional inflow of funds from the UNM Foundation to end the year at breakeven.

Student Activities are the operations of Student Government and Student organizations. These operations are favorable now and will end the year at breakeven or better. **Auxiliaries** and Athletics overall are expected to breakeven by year end.

Sponsored programs operations are our contract and grant research and public service projects funded by outside agencies and companies. These operations will always record zero net revenue over expense by the nature of their funding. The agency pays for a service or research project, and normally any unspent funds must be returned to the agency.

The total net favorable revenue over expenses for UNM current operations is \$54.4 million for the 9 months ended 3/31/07, primarily driven by Instruction and General and Clinical operations.

ADMINISTRATIVE REPORT, David Harris, Acting President

- This year's Presidential Teaching Fellow is Michael J. Nakamaye, Associate Professor from Mathematics and Statistics in the College of Arts and Sciences.
- Leslie Donovan, Associate Professor, University Honors in University College, and Julia Scherba de Valenzuela, Assistant Professor, Education Specialties in the College of Education received Outstanding Teacher of the Year.
- Peer Mentoring for Graduates of Color recently presented eleven professors with the first Faculty of Color Awards. PMGC created the award to recognize the outstanding work of UNM faculty of color in mentoring, research, service and teaching.
- Outstanding Faculty of Color Awards were given to Teresa Cordova, Architecture and Planning; Claudia Benoit Isaac, Latin American Studies director; Nancy Lopez, Sociology; Glenabah Martinez, Language, Literacy and Sociocultural Studies; Margaret Montoya, Law and Family and Community Medicine; Beverly Singer, Native American Studies and Anthropology; and Nelson Valdes, Sociology.
- UNM Commencement – Senator Jeff Bingaman will deliver the keynote address at the University of New Mexico spring commencement Saturday, May 12 at 9 a.m. in the University Arena.
- We expect a total of 2,486 degrees to be conferred upon UNM main campus graduates – 1,680 bachelor's degrees, 502 master's degrees, 65 doctorates, 101 juris doctorates, 62 medical doctorates, 62 pharmacy doctorates, five graduate certificates and nine education specialists.
- Three key hires have been made, Jeremy LaFaver, Communications Specialist

Office of the President, Miguel Hidalgo, Assistant Director, Facilities, and Richard Pickering, Athletics Finance Officer.

ASUNM CONSTITUTIONAL AMENDMENT, Brittany Jaeger

- This was the first year that on-line voting was used for the ASUNM Election. About 2,600 students voted, which is a big success.
- Under Section 7. – Voting, of Article VII Election Procedures, Brittany asked for approval to change "with valid photo identification" to "with valid UNM net ID and password." This is an outdated rule. There were 2,289 students for this amendment and 110 were against this amendment.
- Sebastian Pais, ASUNM Senator, submitted a written letter to the Board of Regents regarding the ASUNM Constitutional Amendment.

Motion approved unanimously to approve the ASUNM Constitutional Amendment to Section 7. – Voting (1 st Chalmers 2 nd Abeita).

COMMENTS FROM REGENTS ADVISORS

Virginia Shipman, Faculty Senate

- We had our last general Faculty Senate meeting last week. I have learned that we must truly have shared governance. It is important that we all work together. We really need to meet more often than once a month. We need more information and discussion. In addition to supporting the various resolutions, we have tried to be more efficient in doing our work. We had 29 committees. We made a major reduction in our number of committees, but not in the kind of work we do.

David Groth, President, Staff Council

- A Resolution was presented regarding security on the UNM campus. The Board was asked for their support and funding for security cameras on campus and for more police officers.

Motion approved unanimously to approve the Resolution 2007-#2, addressing proposed UBPPM 2230-related to campus police and security systems (1 st Abeita 2 nd Dorman).

- Staff Appreciation Week is coming up in June. June 16 th is the Staff Picnic in Isotopes Park. Pancake Breakfast is on June 18 th for all our staff.

- David introduced Vanessa Shields, President Elect.

Joseph Garcia, President, GPSA

- Anselmo Torres Arismendi will be recognized by the government of Argentina as a leader in development. GPSA is supporting him by deferring his cost to travel to Argentina.
- I want to thank Acting President Harris for recognizing peer mentoring for graduates of color.
- We met with the Secretary of Education for the U.S. Spelling Roundtable at the Albuquerque Hyatt Regency with officials from New Mexico: Javier Gonzales, President of New Mexico Highlands Regents and Chair of the New Mexico Campus Safety and Security Task Force. We discussed matters related to campus security and health and mental health education.
- Two Resolutions were presented: the first one supporting Service Action Network and the second supporting the establishment of an office for conflict resolution for mediation. The second Resolution has been submitted to the President's Office.

Motion approved unanimously to approve the Resolution regarding the goals of the Service Action Network to promote and increase opportunities for faculty, staff and students to be engaged in service with the community (1 st Sanchez 2 nd Chalmers).

Brittany Jaeger/Ashley Fate, President, ASUNM

- I wish all students good luck on their finals.
- The Service Action Network has an agenda item on the Academic and Student Affairs meeting this coming week. I look forward to hearing from them. It is student driven with student ideas. I fully support them.
- I would like to formally introduce Ashley Fate. Ashley has been a two-year senator. She served as the Finance Chair for this past year and has been instrumental in everything that ASUNM has done. I am very excited to have her follow me. I want to congratulate Ashley publicly.
- Each of you should have been invited to Ashley, along with the new vice president and ten senators, being officially inducted this Friday at noon.
- I want to thank everyone for helping me these past two years.

Lillian Montoya-Rael, Incoming President, UNM Alumni Association

- The Legislative Advocacy Committee is in the process of finalizing our reception schedule. This Saturday, during the Commencement Ceremony, we will be recognizing 60 of our golden graduates from the class of '57. We are co-sponsoring with the President's Office, a reception following commencement for all the graduates.
- The Mirage magazine that comes out in December will include a spread about the installation for the new President.
- Our big annual event is a thank you to the volunteers on June 8 th at the Hyatt Tamaya. We will be recognizing a number of Legislators.

Gary Gordon, Vice-Chair for Thelma Domenici, Chair, UNM Foundation

- The Foundation holds its' annual meeting in April. We did elect nine new Foundation members. We will have 41 board members, which is a little short, the bylaws allow 45.
- The gifts this year have done tremendously well. The goal this fiscal year is \$61 million dollars and the most recent report has it at \$58 million dollars. We are at 95% of goal. We still have two months remaining in our giving year.
- The comparison against colleges and universities; we have been doing progressively much, much better. We are performing exceedingly well against other major institutional funds and endowments. We are please to report that we are not only competitive, but we are beating, in terms of returns, other institutions.
- The distribution from the endowment this year is 4.65%. That is expected to exceed \$12.25 million dollars of a direct distribution to the University this year. This is in addition to the \$61 million we expect to raise.

COMMENTS FROM REGENTS

- None.

REGENT COMMITTEE REPORTS

ACADEMIC/STUDENT AFFAIRS & RESEARCH COMMITTEE, Regent Sanchez, Chair

Motion approved unanimously to approve the Degree Candidates for Spring 2007

(1 st Sanchez 2 nd Abeita).

Motion approved unanimously to approve the Posthumous Degree Candidates (Vincent Lomonaco and Christine Collins-Gonzales) for Spring 2007 (1 st Sanchez 2 nd Abeita).

ADVANCEMENT COMMITTEE, Regent Chalmers, Chair

- Advancement met on April 12 th. We have an outreach effort towards the business community asking them to come and speak to our Committee on how we can be more relevant and responsive to their needs.
- Some business leaders will be coming in to offer constructive criticism to the Committee.

DEVELOPMENT COMMITTEE, Regent Chalmers, Chair

- I don't want to be redundant with what you just heard from the Foundation, but certainly things are going well from a fund-raising standpoint.
- We are confident we will hit the \$61 million dollars. The two biggest months historically are December (end of calendar year) and June (end of fiscal year). We are \$10 million ahead of last year. The investments are performing well.
- The Committee did discuss a new fund-raising effort; the establishment of the Bob Hoffman Legacy Endowment. We will bring this forward next month to the Regents. It is a library type of project to archive and collect documents of the economic and entrepreneurial history of New Mexico.
- This Committee has continued to act as a potential Capital Campaign Committee.

AUDIT COMMITTEE, Regent Sanchez, Chair

The Regents' Audit Committee convened on April 10, 2007 and took the following actions:

- Tabled approval of the Harwood Museum Preliminary Assessment of Select Operations, Report 2006-63;
- Approved Moss Adams, LLP as the external auditors for the University's fiscal year 2007 financial audit;
- Requested that University Counsel provide a draft Resolution in ten days pertaining to delegation of governance authority of the Harwood Museum to the Harwood Governing Board;
- Requested a special audit committee meeting in ten days to discuss one tabled audit, approval of the Harwood Museum Preliminary Assessment of Select Operations and the Resolution delegating authority of the Harwood Museum to the Governing Board.

The Regents' Audit Committee reconvened on April 23, 2007 and took the following actions:

- Approved one audit for publication – 2007-07, Department of Intercollegiate Athletics Women's Golf – Audit of Undeposited Cash;
- Approved for publication the Harwood Preliminary Assessment of Select Operations, Report 2006-63;
- Approved the draft Resolution prepared by University Counsel, with amendments discussed during meeting, by which the Board of Regents would delegate governance authority of the Harwood Museum to the Harwood Governing Board. The draft Resolution as amended will be presented to the Board of Regents for approval in Executive Session on May 8, 2007.

HSC – HEALTH SCIENCES, Regent Fortner, Chair

Motion approved unanimously to approve the permanent appointments (5/4/07) for Medical Staff (1 st Fortner 2 nd Chalmers).

Motion approved unanimously to approve the reappointments (5/4/07) for Medical Staff (1 st Fortner 2 nd Chalmers).

Motion approved unanimously to approve the reappointments (5/4/07) for Medical Staff with Specialty (1 st Fortner 2 nd Chalmers).

Motion approved unanimously to approve the expansion of privileges for David Graeber, MD to include Inpatient Treatment (including admission, continuing care and psychotropic chemotherapy for children 12 years old or younger) (1 st Fortner 2 nd Chalmers).

Information Items :

- UNMH Dashboard Report : Steve McKernan, CEO, UNMH

Our Patient Days are up about 5%. Our Discharges are up about 6%. Average Length of Stay is stable. Outpatient Clinic Visits are also up. Emergency Department Visits are level with the budget and prior year. Operations and Births are up. UNM Care Enrollment is increasing. The net margin for the Hospital is very positive. Total margin for the Hospital, with the \$10 million dollar grant from the Legislature and the State, is right at \$14 million dollars. Out Case Mix Index is up over the budget from the prior year. Net Patient Revenue per FTE is up significantly about 8%. Days Cash on Hand is up over the prior year. Days in Net Accounts Receivable are down. Our FTE's are stable.

- UNMH CEO Report :

We are tracking for the first week in June for moving into the Barbara and Bill Richardson Pavilion. The construction is effectively finished.

PUBLIC COMMENT

- None

Motion approved unanimously to approve going into Executive Session at 10:50 a.m. (1 st Chalmers 2 nd Sanchez).

EXECUTIVE SESSION will be held from 11:30 a.m. – 1:00 p.m. in the Sandia Room:

- Discussion and determination, where appropriate, of limited personnel matters pursuant to Section 10-15-1 H (2), NMSA (1978).
- Discussion and determination, where appropriate, of matters subject to attorney-client privilege pertaining to threatened or pending litigation pursuant to Section 10-15-1 H (7) NMSA (1978).
- Discussion and determination where appropriate of personally identifiable information about an individual student, pursuant to Section 10-15-1 H (4) NMSA (1978) and FERPA.
- Vote to re-open the meeting.
- Certification that only those matters described in Agenda Item XI were discussed in Executive Session and if necessary, ratification of actions, if any, taken in Executive Session.

Motion approved unanimously to open meeting at 1:00 p.m. and report on those matters addressed in Executive Session (1 st Chalmers 2 nd Fortner).

HARWOOD MUSEUM, Regent Raymond Sanchez

Upon motion duly made and seconded, the Board unanimously approved the Resolution attached as Exhibit (#6) to these minutes entitled "Board of Regents of the University of New Mexico Resolution Regarding the Governing Board of the Harwood Foundation of the University of New Mexico".

Motion approved unanimously to approve the Resolution regarding the Governing Board of the Harwood Foundation of the University of New Mexico (1 st Sanchez 2 nd Chalmers).

Discussion:

- Regent Koch and Regent Sanchez thanked Christine Chavez for doing a wonderful job on the audit. Regent Sanchez said he wanted to especially thank Patrick Apodaca and his legal staff. Regent Sanchez stated that Patrick worked hard on this and he spends a lot of time doing this work and Regent Sanchez expressed his appreciation.
- Regent Koch stated that they did the review for David Harris and Dr. Paul Roth. Regent Koch stated that the job Dr. Roth has done is outstanding. In the future, this review will be done by President Schmidly. Dr. Roth will receive a 5% increase.
- Regent Koch stated that it has been great working with David Harris these last couple of years. David Harris will receive a 5% increase.

Motion approved unanimously to approve 5% increases for Dr. Paul Roth and David Harris (1 st Koch 2 nd Fortner).

- Reed Dasenbrock, EVP of Academic Affairs and Provost, will receive his performance review from President Schmidly.

Motion approved unanimously to adjourn meeting at 1:22 p.m. (1 st Koch 2 nd Fortner).

Adjournment

Regent James H. Koch Regent Carolyn J. Abeita

President Secretary/Treasurer

Attachments to Minutes Official File

#1 Budget Revisions FY 2006-07

#2 FY 2007-08 Operating Budget

#3 Resolution CRTC II Project

#4 BOR Policy 2.11.1 Building Plaques

#5 Financial Report 3/31/07

#6 Resolution regarding the Governing Board of the Harwood Foundation of UNM

File: Regent Minutes 5-08-07 (edited current 6/4/07)